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THE

JOURNAL OF THE SENATE

DURING THE

THIRTIETH SESSION

OF THE

LEGISLATURE OF THE STATE OF CALIFORNIA,
1893.

BEGAN ON MONDAY, JANUARY SECOND, AND ENDED ON TUESDAY, MARCH
FOURTEENTH, EIGHTEEN HUNDRED AND NINETY-THREE.



SACRAMENTO:

STATE OFFICE, : : : : A. J. JOHNSTON, SUPT. STATE PRINTING.

1893.

THE LIFE OF THE REVEREND

JOHN W. B. ...

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CALIFORNIA LEGISLATURE—SENATE.

THIRTIETH SESSION.

IN SENATE.

SENATE CHAMBER,
Monday, January 2, 1893. }

At twelve o'clock M., the Senate was called to order by Lieutenant-Governor J. B. Reddick, President of the Senate.

ROLL CALLS.

By direction, the Secretary called the roll of the hold-over Senators, and the following members answered to their names:

Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Goucher, Harp, Maher, Mahoney, Ostrom, Ragsdale, Seawell, Shippée, Simpson, Streeter, Voorhies, Williams, and Wilson.

The Secretary then called the roll of the Senators-elect, and the following answered to their names:

Third District—Plumas, Sierra, Nevada: Tirey L. Ford.
Fifth District—El Dorado, Placer: Noble Martin.
Eleventh District—Contra Costa, Marin: E. McAllister.
Thirteenth District—Sacramento: E. C. Hart.
Fifteenth District—San Joaquin: B. F. Langford.
Seventeenth District—San Francisco: W. J. Dunn.
Nineteenth District—San Francisco: T. F. Mitchell.
Twenty-first District—San Francisco: W. J. Biggy.
Twenty-third District—San Francisco: Chas. S. Arms.
Twenty-fifth District—San Francisco: John Fay.
Twenty-seventh District—Alameda: Guy C. Earl.
Twenty-ninth District—San Mateo, Santa Cruz: Bart Burke.
Thirty-first District—Santa Clara: L. A. Whitehurst.
Thirty-third District—San Benito, Monterey: Thomas Flint, Jr.
Thirty-fifth District—Santa Barbara, Ventura: Orestes Orr.
Thirty-seventh District—Los Angeles: J. R. Mathews.
Thirty-ninth District—San Bernardino, Orange: E. C. Seymour.

Whole number of Senators present, thirty-seven.

Senator Mahoney announced that it was impossible for Senator-elect McGowan to be present before Thursday next.

The President announced that as the name of each Senator was called he come forward, present his certificate of election, sign the roll, and take the oath of office.

OATH OF OFFICE.

The Senators-elect present came forward, presented their certificates of election, signed the roll; and took the following oath of office:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of Senator to the best of my ability.

ADJOURNMENT.

At twelve o'clock and twenty minutes P. M., the Senate, on motion of Senator Mahoney, adjourned to meet to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 3, 1893. }

Senate met pursuant to adjournment.

President J. B. Reddick in the chair.

The Secretary called the roll, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson.

Quorum present.

OATH OF OFFICE.

Senators-elect, J. B. Hoyt, of the Ninth District, Solano County, and Henry C. Gesford, of the Seventh District, Lake and Napa Counties, by direction of the President, came forward, presented their certificates of election, signed the roll, and took the following oath of office:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of Senator to the best of my ability.

READING OF JOURNAL.

While the Journal of yesterday was being read, the further reading was dispensed with, on motion of Senator Seawell.

MOTION.

Senator Voorhies moved that the Senate proceed with the election of the statutory officers of the Senate.

So ordered.

LEAVE OF ABSENCE.

Senator Ostrom asked leave of absence for this day for Senator Whitehurst.

Granted.

ELECTION OF PRESIDENT PRO TEM. OF THE SENATE.

Nominations for President pro tem. being in order, Senator Seymour nominated Hon. R. B. Carpenter.

Senator Ostrom nominated Hon. H. C. Wilson.

The roll was called, with the following result:

For Carpenter—Messrs. Bailey, Broderick, Campbell, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson—21.

For Wilson—Messrs. Berry, Biggy, Burke, Carpenter, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, and Seawell—16.

The President then declared the Hon. R. B. Carpenter duly elected President pro tem. of the Senate.

ELECTION OF SECRETARY OF THE SENATE.

Nominations for Secretary being in order, Senator Bailey nominated Frank J. Brandon.

Senator Dunn nominated J. J. McCarthy.

The roll was called, with the following result:

For F. J. Brandon—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

For J. J. McCarthy—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, and Wilson—16.

The President then declared Frank J. Brandon duly elected Secretary of the Senate.

ELECTION OF FIRST ASSISTANT SECRETARY OF SENATE.

Nominations for First Assistant Secretary being in order, Senator Flint nominated R. Shaw.

Senator Goucher nominated E. F. Bernhard.

The roll was called, with the following result:

For R. Shaw—Messrs. Bailey, Broderick, Campbell, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—20.

For E. F. Bernhard—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, and Wilson—16.

The President then declared Mr. R. Shaw duly elected First Assistant Secretary.

ELECTION OF SECOND ASSISTANT SECRETARY.

Nominations for Second Assistant Secretary being in order, Senator Orr nominated A. D. Bowen.

Senator Burke nominated F. J. Tripp.

The roll was called, with the following result:

For A. D. Bowen—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—20.

For F. J. Tripp—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, and Wilson—16.

ELECTION OF SERGEANT-AT-ARMS.

Nominations for Sergeant-at-Arms being in order, Senator Flint nominated Thomas Rodgers.

Senator Seawell nominated T. J. Weldon.

The roll was called, with the following result:

For Thos. Rodgers—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

For T. J. Weldon—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, and Wilson—16.

The President then declared Thomas Rodgers duly elected Sergeant-at-Arms.

ELECTION OF MINUTE CLERK.

Nominations for Minute Clerk being in order, Senator Broderick nominated Ray G. Falk.

Senator Gesford nominated Charles Thompson.

The roll was called, with the following result:

For R. G. Falk—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Martin, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

For Chas. Thompson—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Hart, Langford, McAllister, Mahoney, Mitchell, Ostrom, and Seawell—14.

The President then declared R. G. Falk duly elected Minute Clerk.

ELECTION OF JOURNAL CLERK.

Nominations for Journal Clerk being in order, Senator Voorhies nominated L. J. Fontenrose.

Senator Langford nominated M. J. O'Donnell.

The roll was called, with the following result:

For L. J. Fontenrose—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson—22.

For M. J. O'Donnell—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, and Seawell—15.

The President then declared L. J. Fontenrose duly elected Journal Clerk.

ELECTION OF ENROLLING CLERK.

Nominations for Enrolling Clerk being in order, Senator Ragsdale nominated H. N. Campbell.

Senator Fay nominated Isaac Norton.

The roll was called, with the following result:

For Harn N. Campbell—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

For Isaac Norton—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, and Wilson—16.

The President then declared H. N. Campbell duly elected Enrolling Clerk.

ELECTION OF ENGROSSING CLERK.

Nominations for Engrossing Clerk being in order, Senator Campbell nominated C. N. Ragsdale.

Senator Mathews nominated J. H. Melville.

The roll was called, with the following result:

For C. N. Ragsdale—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

For J. H. Melville—Messrs. Biggy, Burke, Fay, Gesford, Goucher, Harp, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, and Wilson—13.

The President then declared C. N. Ragsdale duly elected Engrossing Clerk.

ELECTION OF FIRST ASSISTANT MINUTE CLERK.

Nominations for First Assistant Minute Clerk being in order, Senator Denison nominated C. S. McMullen.

There being no other nominations, the roll was called, with the following result:

For C. S. McMullen—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

The President then declared C. S. McMullen duly elected First Assistant Minute Clerk.

ELECTION OF SECOND ASSISTANT MINUTE CLERK.

Nominations for Second Assistant Minute Clerk being in order, Senator Seymour nominated R. Q. Wickham.

There being no further nominations, the roll was called, with the following result:

For R. Q. Wickham—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

The President then declared R. Q. Wickham duly elected Second Assistant Minute Clerk.

ELECTION OF FIRST ASSISTANT JOURNAL CLERK.

Nominations for First Assistant Journal Clerk being in order, Senator Mahoney nominated George A. Leon.

There being no further nominations, the roll was called, with the following result:

For George A. Leon—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—20.

The President then declared George A. Leon duly elected First Assistant Journal Clerk.

ELECTION OF SECOND ASSISTANT JOURNAL CLERK.

Nominations for Second Assistant Journal Clerk being in order, Senator Seawell moved that the Senate refuse to elect a person to that office.

Ayes and noes were demanded by Senators Ostrom, Maher, and Seawell.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, and Seawell—15.

NOES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson—22.

Senator Hart nominated George G. Davis.

There being no further nominations, the roll was called, with the following result:

For George G. Davis—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Maher, Mahoney, Orr, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams—19.

The President then declared George G. Davis duly elected Second Assistant Journal Clerk of the Senate.

RESOLUTIONS.

By Senator Bailey:

Resolved, That C. A. Fuller be and he is hereby appointed Assistant Enrolling Clerk of the Senate, at the same per diem as Enrolling Clerk, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorhies, and Williams—20.

NOES—None.

By Senator Simpson:

Resolved, That T. D. Maher be and he is hereby appointed Assistant Engrossing Clerk of the Senate, at the same per diem as Engrossing Clerk, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

NOES—None.

ELECTION OF FIRST ASSISTANT SERGEANT-AT-ARMS.

Nominations for First Assistant Sergeant-at-Arms being in order, Senator Everett nominated Wm. H. Rice.

There being no further nominations, the roll was called, with the following result:

For Wm. H. Rice—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—20.

The President then declared Wm. H. Rice duly elected First Assistant Sergeant-at-Arms.

ELECTION OF POSTMISTRESS.

Nominations for Postmistress being in order, Senator Williams nominated Mrs. A. Atkinson.

Senator Martin nominated Mrs. R. M. Clark.

There being no further nominations, the roll was called, with the following result:

For Mrs. A. Atkinson—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—22.

For Mrs. R. M. Clark—Messrs. Berry, Biggy, Burke, Dunn, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, and Wilson—14.

The President then declared Mrs. A. Atkinson duly elected Postmistress.

RESOLUTIONS.

By Senator Carpenter:

Resolved, That Rosa Lee be and she is hereby appointed Assistant Postmistress of the Senate, at a per diem of four dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—32.

NOES—Mr. Wilson—1.

By Senator Mahoney:

Resolved, That John J. O'Connor be and he is hereby appointed Second Assistant Sergeant-at-Arms of the Senate, at a per diem of six dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Hart, Hoyt, Maher, Mahoney, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—23.

NOES—Mr. Wilson—1.

By Senator Earl:

Resolved, That Charles P. Everts be and he is hereby elected Third Assistant Secretary of the Senate, at the same per diem as the Secretary, the same to be paid out of the fund for contingent expenses of Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams—22.

NOES—Mr. Wilson—1.

By Senator Maher:

Resolved, That R. Seabeck be and he is hereby appointed Messenger to the Sergeant-at-Arms of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Hart, Hoyt, Maher, Orr, Ragsdale, Seymour, Shippee, Simpson, Voorhies, and Williams—20.

NOES—None.

By Senator Everett:

Resolved, That E. W. Schaeffer be and he is hereby appointed Mail Carrier of the Senate, at a per diem of four dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—MESSRS. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Hart, Hoyt, Maher, Mahoney, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—22.
NOES—None.

By Senator Mahoney:

Resolved, That Wm. Gaffney, E. A. Tibbetts, M. W. Coffey, R. P. Jessup, and R. Farrell be and they are hereby appointed Watchmen of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—MESSRS. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorhies, and Williams—22.
NOES—None.

By Senator Voorhies:

Resolved, That Charles Kean be and he is hereby appointed Messenger of Senate to State Printer, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—MESSRS. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.
NOES—None.

By Senator Ford:

Resolved, That W. J. Michell be and he is hereby appointed Bill Clerk of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—MESSRS. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.
NOES—None.

By Senator Streeter:

Resolved, That T. H. Simpson be and he is hereby appointed Folding and Mailing Clerk of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—MESSRS. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Williams—21.
NOES—None.

By Senator Denison:

Resolved, That Richard Redmond, C. A. Jamieson, Wm. Sanderson, and W. B. Price be and they are hereby appointed Porters of the Senate Chamber, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—20.

NOES—None.

By Senator Hoyt:

Resolved, That William Wadsworth be and he is hereby appointed Doorkeeper of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

NOES—Mr. Ostrom—1.

By Senator Voorhies:

Resolved, That George Dunlap and John Finnegan be and they are hereby appointed Day Watchmen for gallery of Senate Chamber, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

NOES—Messrs. Ostrom and Wilson—2.

By Senator Ford:

Resolved, That E. V. Hill, I. N. Terrill, and Chas. Mills be and they are hereby appointed Gatekeepers of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—23.

NOES—Messrs. Ostrom and Wilson—2.

By Senator Shippee:

Resolved, That W. A. Reddick, Clarence Peckard, W. W. Martin, R. E. Smith, and F. Smith be and they are hereby appointed Pages of the Senate, at a per diem of three dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Gesford, Goucher, Harp, Hart, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson—29.

NOES—None.

By Senator Maher:

Resolved, That Andy Branch be and he is hereby appointed History Clerk of the Senate, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson—27.

NOES—Mr. Ostrom—1.

By Senator Carpenter:

Resolved, That E. J. Niles be and he is hereby appointed Bookkeeper and Clerk to the Sergeant-at-Arms of the Senate, at the same per diem as the Sergeant-at-Arms, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—25.

NOES—Mr. Ostrom—1.

By Senator Carpenter:

Resolved, That Louis S. Androus be and he is hereby appointed Messenger to the Senate Committee on Elections, at a per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Senator Seawell raised the point of order that no such committee existed.

The President decided the point well taken.

Senator Carpenter moved that the temporary rules of the twenty-ninth session be the temporary rules of this session.

Senator Seawell moved to amend by adopting printed temporary rules of Senate for last session.

Amendment accepted.

The roll was then called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—33.

NOES—None.

The President then declared the temporary printed rules of the Senate at the last session the temporary rules of the Senate for this session.

RECESS.

It being one o'clock and fifteen minutes P. M., Senator Goucher raised the point of order that under the rules just adopted a recess should be declared at twelve o'clock and thirty minutes P. M.

The President thereupon declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the President called the Senate to order.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hoyt, Langford, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams.

Quorum present.

The following officers-elect came forward and were duly sworn in:

President pro tem.....	R. B. Carpenter.
Secretary of Senate.....	F. J. Brandon.
Assistant Secretary of Senate.....	Rody Shaw.

Assistant Secretary of Senate.....	A. D. Bowen.
Sergeant-at-Arms.....	Thos. Rodgers.
Assistant Sergeant-at-Arms.....	Wm. H. Rice.
Minute Clerk.....	Ray G. Falk.
Journal Clerk.....	L. J. Fontenrose.
Engrossing Clerk.....	C. N. Ragsdale.
Enrolling Clerk.....	H. N. Campbell.
Postmistress.....	Mrs. A. Atkinson.

The President of the Senate announced the following as employés of the Senate:

Pages.....	Charles G. Jones, Ray McFarland, and Allie Floyd.
Porters.....	W. W. Wood, John Scully, and Walter S. Payne.

RESOLUTIONS.

Senator Voorhies offered the following resolution:

Resolved, That the Secretary of the Senate be directed to notify the Assembly that the Senate was organized on Tuesday, January 3, 1893, and is ready to proceed to business with the following officers:

President pro tem.....	R. B. Carpenter.
Secretary.....	F. J. Brandon.
Sergeant-at-Arms.....	Thos. Rodgers.
Assistant Secretaries.....	R. Shaw and A. D. Bowen.
Minute Clerk.....	Ray G. Falk.
Journal Clerk.....	L. J. Fontenrose.
Enrolling Clerk.....	H. N. Campbell.
Engrossing Clerk.....	C. N. Ragsdale.
Assistant Sergeant-at-Arms.....	W. H. Rice.
Postmistress.....	Mrs. Abbie Atkinson.

Adopted.

Senator Voorhies offered the following resolution:

Resolved, That the President of the Senate appoint a committee of three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Adopted.

COMMITTEE.

The President appointed as such committee Senators Voorhies, Ford, and Mathews.

RESOLUTION.

Senator Seawell offered the following resolution:

Resolved, That a committee of four be appointed by the President of the Senate as a Committee on Rules, who, with the President of the Senate, shall prepare rules for the government of the Senate, and report to this body on or before Thursday, January 5, 1893.

Senator Carpenter moved that the resolution be laid temporarily on the table.

So ordered.

RECESS.

At three o'clock and five minutes P. M., on motion of Senator Carpenter, the Senate took a recess until three o'clock and thirty-five minutes P. M.

REASSEMBLED.

At three o'clock and thirty-five minutes P. M., the President called the Senate to order.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson.

Quorum present.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, January 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following resolution:

Resolved, That the Clerk be instructed to notify the Senate that the Assembly has been organized by the election of

F. H. Gould	.....	Speaker.
W. P. Mathews	.....	Speaker pro tem.
Geo. W. Peckham	.....	Chief Clerk.
Thos. E. Healy	.....	Sergeant-at-Arms.
Myron Yager	.....	Assistant Clerk.
E. J. Pringle, Jr.	.....	Assistant Clerk.
Isidor Alexander	.....	Minute Clerk.
Frank Anaya	.....	Journal Clerk.
F. B. Mulgrew	.....	Enrolling Clerk.
James Neal	.....	Engrossing Clerk.
Mrs. R. Elliott	.....	Postmistress.
Miss Lottie Rothschild	.....	Assistant Postmistress.

GEO. W. PECKHAM, Chief Clerk.

RESOLUTION.

Senator Hart offered the following resolution:

Resolved, That Rev. W. S. Hoskinson be and he is hereby appointed Chaplain of the Senate, at a per diem of five dollars, the same to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson—24.
NOES—None.

REPORT OF SPECIAL COMMITTEE.

Senator Voorhies of the committee appointed to wait upon the Governor reported that the committee had carried out the request of the Senate, and the committee was thereupon discharged.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT.)
SACRAMENTO, CAL., January 3, 1893. (

To the Senate of the State of California:

I herewith transmit to your honorable body my first biennial message.

H. H. MARKHAM, Governor.

MOTIONS.

Senator Voorhies moved to take up the Governor's message, and that the same be read.

So ordered.

During the reading, Senator Hart moved that the further reading of the Governor's message be dispensed with, and that the Secretary of the Senate be instructed to have one thousand copies of the same printed.

So ordered.

RESOLUTIONS.

Senator Everett offered the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to have the bills sorted in the Sergeant-at-Arms' room and laid upon the desks in consecutive order.

Adopted.

Senator Carpenter offered the following resolution:

Resolved, That L. S. Androus be and he is hereby appointed Messenger to Committee on Elections, at the per diem of five dollars, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Gesford, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, and Voorhies—21.

NOES—None.

ADJOURNMENT.

At three o'clock and fifty minutes P. M., on motion of Senator Streeter, the Senate adjourned to meet at eleven o'clock A. M. to-morrow.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 4, 1893. }

Senate met pursuant to adjournment.

President J. B. Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF JOURNAL.

While the Journal of yesterday was being read, the further reading was dispensed with, on motion of Senator Simpson.

The Journal was corrected, as follows:

Senator Carpenter moved that the Journal of yesterday be corrected on page twelve, in resolution introduced by him, so that instead of reading "Messenger to Sergeant-at-Arms," it read "Messenger to Committee on Elections."

So ordered.

Senator Goucher moved that on page two the name of "E. F. Bernard" be changed to "E. F. Bernhardt;" and in the roll call immediately following the same change be made.

So ordered.

Senator Earl moved that on page six the name of "Charles P. Evarts" be changed to "Charles P. Everts."

So ordered.

RESOLUTION.

Senator Campbell offered the following resolution:

Resolved, That Mrs. Belle S. Harr be and is hereby appointed landress of the Senate for the thirtieth session of the legislature, at a per diem of five dollars, payable out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES. Messrs. Bailey, Berry, Blazy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Fulk, Goucher, Hart, Hart, Hoyt, Langford, McAllister, Munier, Mahoney, Martin, Mitchell, Ragsdale, Seymour, Shipp, Simpson, Streator, Voorhies, and Williams—31.

NOES. Messrs. Ostrom and Wilson—2.

QUESTION OF PRIVILEGE.

Senator McAllister arose and addressed the Senate on a question of privilege, regarding an article published in the "Daily Examiner" of January 2, 1893, denying the truth of the statement published.

RESOLUTION.

By Senator Hart:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to furnish and, accredited newspaper correspondents of the State with two copies of all bills, resolutions, and other documents printed by order of the Senate.

Adopted.

LEAVE OF ABSENCE.

Senator Goucher asked leave of absence for the day for Senator Arms.

Granted.

Senator Flint asked leave of absence for the day for Senator Whitehurst.

Granted.

ADJOURNMENT.

At eleven o'clock and thirty minutes A. M., on motion of Senator Mahoney, the Senate adjourned to meet at eleven o'clock A. M. to-morrow.

IN SENATE.

SENATE CHAMBER,
Thursday, January 5, 1893. }

The Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF JOURNAL.

Journal of Wednesday, January 4, 1893, read and approved.

MOTION.

Senator Everett moved that the Journal of Tuesday, January 3, 1893, be corrected, as follows:

On page eight, in resolution offered by Senator Maher, it be made to read, "at a per diem of five dollars," instead of "at a per diem of eight dollars."

Also, on page six, in resolution offered by Senator Mahoney, that the words "at a per diem of six dollars" be substituted for the words "at the same per diem as the Sergeant-at-Arms."

So ordered.

ANNOUNCEMENT OF COMMITTEES.

The President announced the following Senators as constituting the Committee on Attachés, Contingent Expenses, and Mileage (five members): Senators Streeter, Chairman; Maher, Broderick, Wilson, Arms. And the following Senators as constituting the Committee on State Library and Rules (three members): Senators Ragsdale, Chairman; Hart, Seawell.

RESOLUTIONS.

By Senator Broderick:

Resolved, That Ikey Mooser be accorded the privilege of the floor of the Senate to act as Private Bill Clerk to the members, and at the expense of those who employ him.

Adopted.

By Senator Hart:

Resolved, That the Secretary of State be and is hereby authorized to purchase and pay for, out of the fund for contingent expenses of the Senate, forty-five copies of the latest pocket edition of the Constitution, Codes, and Statutes of the State of California, and deliver the same to the Secretary of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, and Williams—33.

NOES—Messrs. Carpenter, Mathews, Ostrom, Ragsdale, and Wilson—5.

By Senator Maher:

Resolved, That the Controller be and he hereby is directed to deliver to the Sergeant-at-Arms, or his clerk, all the warrants of the members of this Senate, and the officers and attachés thereof, taking his receipt therefor.

Adopted.

By Senator Mahoney:

Resolved, That each member of the Senate be and he is hereby allowed twenty-five (\$25) dollars for contingent expenses, payable out of the appropriation for the contingent expenses of the Senate; and that the aggregate amount of the value of stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made.

Senator Voorhies moved to amend by adding, "as provided for in the Constitution."

Senator Mahoney accepted the amendment.

The roll was called, and the resolution, as amended, was adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, and Wilson—35.

NOES—None.

PETITION.

The following petition was presented by Senator Langford, and read:

To the honorable Legislature of the State of California, Sacramento:

The undersigned, public organizations of the city of San Francisco, with a firm conviction of the great advantage which will accrue to the State of California and our entire country from the speedy construction of the Nicaragua Maritime Canal, respectfully request that your honorable body will adopt a joint resolution to Congress, in favor of legislation to secure the beneficent work at minimum cost, with such provisions as will secure low tolls without discrimination, for the benefit of our countrymen.

We respectfully represent that, at a time when all the Eastern, Southern, and Middle States are urging this great enterprise for the public welfare, the Pacific Coast, which is to be benefited so greatly thereby, shall not be wanting in active interest. Confident that you will coincide with us in our petition and reaffirm the position of the State of California in respect to the Nicaragua Canal, we have the honor to subscribe ourselves,

Your fellow citizens,

THE CHAMBER OF COMMERCE OF SAN FRANCISCO.
THE TRAFFIC ASSOCIATION OF CALIFORNIA.
THE BOARD OF TRADE OF SAN FRANCISCO.
THE BOARD OF TRADE OF OAKLAND.
THE STATE BOARD OF TRADE.
THE GEOGRAPHICAL SOCIETY OF THE PACIFIC.
THE SAN FRANCISCO PRODUCE EXCHANGE.
THE CALIFORNIA LEAGUE OF PROGRESS.
THE MANUFACTURERS' ASSOCIATION.

E. B. POND, Chairman of Conference.

THOS. J. HAYNES, Secretary.

[seal]

SENATE JOINT RESOLUTIONS.

Senator Langford offered the following Senate Joint Resolution No. 1:

JOINT RESOLUTION ON NICARAGUA CANAL.

WHEREAS, There is now pending in Congress a bill for the construction of the Nicaragua Maritime Canal, under the control of the United States Government, with such conservative provision as will secure low tolls, and prevent discrimination therein; and whereas, the prompt construction of this beneficent work will be of great political and commercial advantage to the Republic and a boon to the citizens of California.

Resolved, That the Legislature of the State of California respectfully urges upon the Congress of the United States immediate and favorable action on the bill for the prompt construction of the Nicaragua Maritime Canal, under the control of our Government, and with such conservative conditions as will secure low tolls without discrimination.

Resolved, That attested copies of these joint resolutions be forwarded to the President of the Senate, the Speaker of the House of Representatives, and a copy thereof filed with the honorable Secretary of State of the United States at the National Capitol.

Senator Langford asked immediate action on the above joint resolution.

Senator Ostrom offered the following Joint Resolution No. 2:

WHEREAS, All Governments are instituted and maintained for the safety and material prosperity of its citizens; and whereas, a large area of these United States is situated contiguous to or bordering on the Pacific Ocean, such territory being of immense fertility, capability, and importance; and whereas, such portion of the Union being, under present conditions, practically without the possibility of cheap transportation and quick commercial intercourse with our sister States of the East and the markets of Europe, to which our vast cereal and other products can only find a profitable market; and whereas, in the unfortunate event of possible war with some strong maritime nation, our seaports and Government works would be in immediate and great danger of destruction, thereby entailing the loss of untold millions of wealth, and the possible invasion of our territory by a foreign foe; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That we would respectfully represent to the President and Congress, that the construction of the Nicaragua Canal is an immediate and pressing necessity to the entire Pacific Slope and to the country at large; and we would further represent that the construction of said Nicaragua Canal, ownership, equipage, and control, should be wholly within the Government of the United States, believing such to be necessary to best subserve the interest of the whole people.

Resolved, That upon the adoption of the foregoing preamble and resolutions, it shall be the immediate duty of the Governor to forward copies of the same to each of our Representatives in Congress and to the presiding officer of each house of Congress, and to the President at Washington.

Senator Ostrom moved that Senate Joint Resolutions Nos. 1 and 2 be referred to the Committee on Federal Relations, when appointed.

So ordered.

Senator Langford asked that said committee be requested to act immediately when appointed.

No objection.

RESOLUTION.

By Senator Maher:

Resolved, That no demand or requisition upon the Secretary of State for supplies of any kind for any committee of the Senate be allowed or filled, unless such demand or requisition is first approved by a majority of the Committee on Attachés, Contingent Expenses, and Mileage.

Adopted.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 5, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage have had under consideration the mileage and per diem of the temporary officers of the

Senate, and beg leave to report that the following officers and attachés are entitled to mileage and per diem under the provisions of the Political Code:

J. B. Reddick, President—146 miles	\$14 60
F. J. Brandon, Secretary—256 miles	25 60
C. S. McMullen, Minute Clerk—182 miles	18 20
J. C. Boatman, Assistant Secretary—182 miles	18 20
R. L. Thomas, Assistant Secretary—168 miles	16 80
Thomas Rodgers, Sergeant-at-Arms—556 miles	55 60
P. H. Andross, Clerk to Sergeant-at-Arms—168 miles	16 80

Per Diem.

F. J. Brandon, Secretary—1 day	\$8 00
Thomas Rodgers, Sergeant-at-Arms—1 day	8 00
J. C. Boatman, Assistant Secretary—6 days at \$8	48 00
R. L. Thomas, Assistant Secretary—6 days at \$8	48 00
C. S. McMullen, Minute Clerk—1 day at \$8	8 00
F. A. Rossi, Journal Clerk—6 days at \$8	48 00
J. A. Harney, Engrossing Clerk—6 days at \$8	48 00
J. A. Dungan, Enrolling Clerk—6 days at \$8	48 00
Geo. W. McIntyer, Assistant Sergeant-at-Arms—6 days at \$6	36 00
Mrs. E. Tobias, Postmistress—6 days at \$4	24 00
Mrs. Rhua M. Clark, Assistant Postmistress—6 days at \$4	24 00
John Devine, Assistant Sergeant-at-Arms—6 days at \$6	36 00
S. B. Solomon, Assistant Minute Clerk—6 days at \$8	48 00
W. G. Kinsell, Assistant Minute Clerk—6 days at \$8	48 00
John C. Ryan, Assistant Journal Clerk—6 days at \$8	48 00
A. F. Graner, Assistant Journal Clerk—6 days at \$8	48 00
Wm. W. Taylor, Bill Clerk—6 days at \$5	30 00
Geo. Dunlop, Mail Carrier—1 day at \$4	4 00
G. L. Bryan, Gatekeeper—6 days at \$4	24 00
J. R. Todd, Gatekeeper—6 days at \$4	24 00
R. Ferrell, Gatekeeper—1 day at \$4	4 00
Wm. Gaffney, Watchman—1 day at \$4	4 00
R. P. Jessup, Watchman—1 day at \$4	4 00
R. Seabeck, Watchman—1 day at \$4	4 00
Hiram Clock, Porter—6 days at \$4	24 00
Webster Lang, Porter—6 days at \$4	24 00
A. Noble, Porter—6 days at \$4	24 00
W. S. Payne, Porter—1 day at \$4	4 00
W. N. Sanderson, Porter—1 day at \$4	4 00
Fred. Goodwin, Page—6 days at \$3	18 00
F. E. Stack, Page—6 days at \$3	18 00
D. L. Hubbard, Page—6 days at \$3	18 00
I. C. Mooser, Page—6 days at \$3	18 00
Fred. Ankener, Page—6 days at \$3	18 00
Frank Smith, Page—1 day at \$3	3 00
Charles Lansing, Page—6 days at \$3	18 00

Your committee also recommend the adoption of the following resolution:

Resolved, That the Controllor be authorized and directed to draw his warrant, payable out of the Contingent Fund of the Senate, to the parties above named for the amounts hereinbefore mentioned.

SACRAMENTO, January 5, 1893.

STREETER, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—MESSRS. ARMS, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—33.

NOES—None.

Also:

*SENATE CHAMBER, SACRAMENTO, January 5, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage beg leave to report that the following named Senators are entitled, by law, to be allowed for mileage, for their attendance on the thirtieth session of the Senate, the several amounts set opposite their names:

C. S. Arms, 168 miles.....	\$16 80
W. C. Bailey, 256 miles.....	25 60
G. S. Berry, 454 miles.....	45 40
W. J. Biggy, 168 miles.....	16 80
Jno. T. Broderick, 168 miles.....	16 80
Bart. Burke, 218 miles.....	21 80
R. H. Campbell, 630 miles.....	63 00
R. B. Carpenter, 956 miles.....	95 60
Elh S. Denison, 182 miles.....	18 20
W. J. Dunn, 168 miles.....	16 80
Guy C. Earl, 182 miles.....	18 20
D. H. Everett, 168 miles.....	16 80
John D. Fay, 168 miles.....	16 80
Thomas Flint, Jr., 346 miles.....	34 60
Tirey L. Ford, 272 miles.....	27 20
H. C. Gesford, 216 miles.....	21 60
G. G. Goucher, 338 miles.....	33 80
T. D. Harp, 166 miles.....	16 60
E. C. Hart.....	
J. B. Hoyt, 170 miles.....	17 00
B. F. Langford, 112 miles.....	11 20
Elliott McAllister, 216 miles.....	21 60
Frank McGowan, 624 miles.....	62 40
T. C. Maher, 168 miles.....	16 80
J. H. Mahoney, 168 miles.....	16 80
Noble Martin, 122 miles.....	12 20
J. R. Mathews, 956 miles.....	95 60
T. F. Mitchell, 168 miles.....	16 80
Orestes Orr, 738 miles.....	73 80
D. A. Ostrom, 92 miles.....	9 20
J. W. Ragsdale, 282 miles.....	28 20
J. H. Seawell, 410 miles.....	41 00
E. C. Seymour, 1,190 miles.....	119 00
W. A. Shippee, 156 miles.....	15 00
Wm. Simpson, 182 miles.....	18 20
H. M. Streeter, 1,190 miles.....	119 00
E. C. Voorhies, 146 miles.....	14 60
L. A. Whitehurst, 256 miles.....	25 60
G. H. Williams, 168 miles.....	16 80
H. C. Wilson, 252 miles.....	25 20

Your committee also recommend the adoption of the following resolution:

Resolved, That the Senators above named be and are hereby allowed the amount set opposite their respective names for mileage for attendance on the thirtieth session of the Senate, and the Controllor is requested to draw his warrant for said amount, to be paid out of the appropriation for per diem and mileage of Lieutenant-Governor and Senators.

JANUARY 5, 1893.

STREETER, Chairman.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—35.

NOES—None.

SENATE JOINT RESOLUTION—(OUT OF ORDER).

Senator Ostrom asked permission to introduce a Senate Joint Resolution.

Granted.

By Senator Ostrom: Senate Joint Resolution No. 3—

WHEREAS, It is urged by individuals, and by all farmer organizations of the country, that trading, dealing, or doing business on a system known as futures and options is greatly to the injury of the producers of the State of California and of the United States, and more particularly to the "cereal" producers; and by such trading and manipulation of a fictitious volume of products vast quantities of the same are made to appear which have no existence in fact, thereby directly and greatly injuring and

impoverishing a great class of our most worthy citizens, and indirectly depressing the entire business of the country; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring. That we favor the immediate passage of "H. R. 7845," known as an Act defining options and futures, imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes, otherwise known as the Washburn Anti-Option Bill; and be it further

Resolved. That we urge our Senators and Representatives in Congress to use every honorable means to procure the immediate passage of said bill and to its enactment as a law of the land.

Resolved. That upon the adoption of the foregoing preamble and resolutions, it shall be the duty of the Governor to immediately transmit a copy of the same to each of our Representatives in Congress, to the presiding officer of each house, and to the President at Washington.

Referred to Committee on Agriculture, when appointed.

RECESS.

At eleven o'clock and forty-five minutes A. M., on motion of Senator Flint, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President pro tem. R. B. Carpenter in the chair.

The roll was called, and the following Senators answered to their names:

MESSES. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gieseler, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

RESOLUTION.

By Senator Ford:

Resolved. That Jesse Vaughn be appointed Electrician of the Senate, at a per diem of three dollars, commencing January 2, 1892. The Controller is hereby directed to draw his warrant on the Treasurer for the same, payable out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gieseler, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, and Williams—30.

NOES—Mr. Arms—1.

MOTION.

At two o'clock and ten minutes P. M., Senator Broderick moved to adjourn until Monday at two o'clock P. M.

Senator Voorhies moved to amend as follows: "That when the Senate adjourn to-morrow it adjourn until Monday at two o'clock P. M."

Amendment accepted and motion as amended carried.

RECESS.

At two o'clock and twelve minutes P. M., on motion of Senator Mahoney, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.
President pro tem. R. B. Carpenter in the chair.

MOTION.

Senator Voorhies moved that the roll be called, and as each Senator's name is called he be allowed to introduce bills.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arms, Burke, Campbell, Carpenter, Denison, Earl, Gesford, Hart, Orr, Ragsdale, Shippee, Simpson, and Voorhies—13.

NOES—Messrs. Bailey, Berry, Biggy, Broderick, Everett, Fay, Flint, Ford, Goucher, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seymour, Streeter, Whitehurst, Williams, and Wilson—23.

ADJOURNMENT.

At two o'clock and forty minutes P. M., Senator Everett moved that the Senate adjourn until to-morrow at eleven o'clock A. M.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Hart, Hoyt, McAllister, Mahoney, Martin, Mathews, Orr, Seymour, Shippee, Simpson, and Streeter—23.

NOES—Messrs. Arms, Berry, Burke, Goucher, Harp, Maher, Mitchell, Ostrom, Ragsdale, Voorhies, Whitehurst, and Williams—12.

Whereupon, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, January 6, 1893. }

The Senate met pursuant to adjournment.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF JOURNAL.

During the reading of the Journal, Senator Bailey moved that the further reading of the Journal be dispensed with.

So ordered.

The Journal of Thursday, January 5, 1893, approved.

RESOLUTIONS.

By Senator Voorhies:

Resolved, That A. L. Rossi be and he is hereby appointed second Bookkeeper and Clerk to the Sergeant-at-Arms of the Senate, at the same per diem as the Sergeant-at-Arms, the same to be paid out of the fund for contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Hart, Maher, Mahoney, Mathews, Orr, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—23.

NOES—Mr. Ostrom—1.

By Senator Everett:

Resolved, That the Senate Post Office be kept open from nine o'clock A. M. to six o'clock P. M. every day, except Sunday; on Sundays from twelve o'clock and thirty minutes P. M. to one o'clock and thirty minutes P. M. and at all times when the Senate is in session.

Adopted.

By Senator Streeter:

Resolved, That the report of the Committee on Contingent Expenses and Mileage be amended to read as follows:

The Controller of State is directed to draw his warrant, payable out of the Contingent Fund of the Senate, in favor of P. H. Ambross, Clerk and Bookkeeper to the Sergeant-at-Arms, for six days' services at eight dollars, forty-eight dollars.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—36.

NOES—None.

REPORT OF STANDING COMMITTEE.

The Committee on State Library and Rules presented the following report and resolution:

Resolved, That the Standing Rules of the Senate be amended to read as follows.

RAGSDALE, Chairman.

STANDING COMMITTEES.

1. Agriculture, Horticulture, Viniculture and Viticulture—nine members.
2. Attachés, Contingent Expenses, and Mileage—five members.
3. Banks and Banking—seven members.
4. City, City and County, and Town Governments—nine members.
5. Claims—seven members.
6. Commerce and Navigation—seven members.
7. Constitutional Amendments—five members.
8. Corporations—eleven members.
9. Counties and County Boundaries—nine members.
10. County Government and Township Organization—nine members.
11. Education and Public Morals—seven members.
12. Elections—seven members.
13. Enrolled and Engrossed Bills—seven members.
14. Federal Relations and Immigration—seven members.
15. Finance—seven members.
16. Forestry, Yosemite Valley, Mariposa, Big Tree Grove, and Fish and Game—five members.
17. Harbors, Rivers, and Coast Defenses—five members.
18. Hospitals—five members.
19. Irrigation and Water Rights—thirteen members.
20. Judiciary—eleven members.
21. Labor and Capital—nine members.
22. Mines, Drainage, and Mining Debris—seven members.
23. Military Affairs—seven members.

24. Public Buildings other than Prison Buildings—eleven members.
25. Public Printing—three members.
26. Public and Swamp and Overflowed Lands—five members.
27. Roads and Highways—seven members.
28. State Library and Rules—three members.
29. State Prisons and Prison Buildings—nine members.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, and Wilson—36.

NOES—None.

STANDING COMMITTEES.

The President then announced the standing committees of the Senate, as follows:

STANDING COMMITTEES.

1. Agriculture, Horticulture, Viniculture, and Viticulture (nine members) —Senators Shippee, Chairman; Streeter, Hoyt, Flint, Ragsdale, Gesford, McAllister, Ostrom, Wilson.
2. Attachés, Contingent Expenses, and Mileage (five members) —Senators Streeter, Chairman; Maher, Broderick, Wilson, Arms.
3. Banks and Banking (seven members) —Senators Flint, Chairman; McGowan, Ford, Simpson, Whitehurst, Langford, Fay.
4. City, County and Town Governments (nine members) —Senators Bailey, Chairman; Broderick, Maher, Earl, Hart, Gesford, Mitchell, Mathews, Whitehurst.
5. Claims (seven members) —Senators Campbell, Chairman; Hoyt, Everett, Ragsdale, Berry, Biggy, Mitchell.
6. Commerce and Navigation (seven members) —Senators Mahoney, Chairman; McGowan, Simpson, Broderick, Fay, Biggy, Mitchell.
7. Constitutional Amendments (five members) —Senators Earl, Chairman; Hart, Carpenter, Seawell, Burke.
8. Corporations (eleven members) —Senators Carpenter, Chairman; Orr, Flint, Bailey, Maher, Denison, Mahoney, Seymour, Goucher, Seawell, Dunn.
9. Counties and County Boundaries (nine members) —Senators Denison, Chairman; Orr, Mahoney, Hart, Flint, Voorhies, Mathews, McAllister, Whitehurst.
10. County Government and Township Organization (nine members) —Senators Earl, Chairman; Voorhies, Ford, Shippee, Simpson, Berry, Gesford, Burke, Harp.
11. Education and Public Morals (seven members) —Senators Hart, Chairman; Earl, Ford, Carpenter, McAllister, Seawell, Martin.
12. Elections (seven members) —Senators Voorhies, Chairman; Maher, Williams, Everett, Arms, Burke, Fay.
13. Enrolled and Engrossed Bills (seven members) —Senators Ragsdale, Chairman; Simpson, Seymour, Carpenter, Biggy, Arms, Dunn.
14. Federal Relations and Immigration (seven members) —Senators Williams, Chairman; Ragsdale, McGowan, Broderick, Harp, Martin, Arms.
15. Finance (seven members) —Senators Voorhies, Chairman; Flint, Ford, Mahoney, Langford, Goucher, Mathews.
16. Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game (five members) —Senators Flint, Chairman; Hoyt, Williams, Harp, Wilson.
17. Harbors, Rivers, and Coast Defenses (five members) —Senators Broderick, Chairman; Denison, McGowan, Ostrom, Dunn.
18. Hospitals (five members) —Senators Simpson, Chairman; Campbell, Streeter, Martin, Harp.
19. Irrigation and Water Rights (thirteen members) —Senators Seymour, Chairman; Earl, Shippee, Orr, Campbell, Streeter, Carpenter, Ostrom, Goucher, Berry, Martin, Langford, Harp.
20. Judiciary (eleven members) —Senators McGowan, Chairman; Carpenter, Earl, Ford, Hart, Orr, Goucher, Seawell, Gesford, McAllister, Burke.
21. Labor and Capital (nine members) —Senators Maher, Chairman; Simpson, Mahoney, McGowan, Hoyt, Dunn, Fay, Berry, Wilson.
22. Mines, Drainage, and Mining Debris (seven members) —Senators Ford, Chairman; Voorhies, Campbell, Hart, Martin, Ostrom, Goucher.
23. Military Affairs (seven members) —Senators Everett, Chairman; Denison, Orr, Williams, Mathews, Mitchell, Langford.
24. Public Buildings other than Prison Buildings (eleven members) —Senators Everett, Chairman; Campbell, Seymour, Denison, Shippee, Bailey, Biggy, Gesford, Mathews, Whitehurst, Mitchell.
25. Public Printing (three members) —Senators Streeter, Chairman; Shippee, Harp.

The roll was called, and the resolution adopted by the following vote :

AYES—Messrs. Bailey, Biggy, Broderick, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—30.

NOES—None.

MOTIONS.

Senator Voorhies moved that Concurrent Resolution No. 1 be transmitted to the Assembly immediately.

So ordered.

Senator Ostrom moved that the Committee on Federal Relations report back immediately to the Senate Joint Resolution No. 2, without recommendation.

So ordered.

OATH OF OFFICE.

Senator McGowan presented his certificate and subscribed to the oath of office administered by the President.

REPORT OF STANDING COMMITTEE.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, January 9, 1893.

MR. PRESIDENT: Your Committee on State Library and Rules respectfully report the following standing rules, and recommend the adoption of the following resolution:

Resolved, That the rules hereto annexed be and they are hereby adopted as the Standing Rules of the Senate, thirtieth session.

RAGSDALE Chairman.

STANDING RULES OF THE SENATE.

I.—OPENING OF THE DAILY SESSIONS.

The time of meeting of the Senate, commencing Tuesday, January 10, 1893, shall be eleven o'clock A. M. until February 20, 1893 (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting, and a recess shall be taken from twelve o'clock M. to one o'clock and thirty minutes P. M.; *provided*, that on Mondays the time of meeting shall be two o'clock P. M. After February 20, 1893, the time of meeting of the Senate shall be ten o'clock, and a recess shall be taken from twelve o'clock and thirty minutes P. M. to two o'clock P. M.

II.—CALLING TO ORDER—READING JOURNAL.

The President shall call the Senate to order at the stated hour, and, if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

III.—PRESIDENT PRO TEM.—HIS POWERS AND PRIVILEGES.

The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

IV.—ATTENDANCE, DUTIES, AND OBLIGATIONS OF SENATORS.

No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or of less than a quorum thereof, shall have the power to issue process, directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators

absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county or of any county in the State.

V.—ORDER OF BUSINESS.

After the reading and approving of the Journal, the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Introduction of Bills.
7. Special File.
8. Third Reading of Bills.
9. Second Reading of Bills.
10. Motions, Resolutions, and Notices.
11. First Reading of Bills.
12. Unfinished Business of the preceding day.
13. Special Orders of the day.
14. Reports from the Committee on Enrollment and on Engrossment shall at all times be in order; *provided*, that the messages from the Governor, State officers, and from the Assembly, may, on motion of any Senator, be considered at any time.

VI.—INTRODUCTION AND READING OF BILLS.

Any Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized, shall present the same, and the title shall be announced from the Secretary's desk, when it shall be referred to a standing committee, and be printed and a copy be placed upon each member's desk. Every bill shall be read on three several days previous to its passage, unless, in case of urgency, two thirds of the Senate shall, by vote of yeas and nays, dispense with this provision, and the last reading shall be at length. The President shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at a third reading until the Senate has so determined by a vote, shall any Senator have objected to such reading. Joint and concurrent resolutions shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise directs.

VII.—THE GENERAL FILE, ITS HOURS—SPECIAL ORDER OF BILLS ON FILE.

The General File shall be the special order for each day from two o'clock until three o'clock and thirty minutes p. m., unless sooner disposed of, but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

VIII.—ORDER MAKING SPECIAL FILE.

The Secretary shall, from time to time, make up a file to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue and constitutional amendments, in the order named, and in the order in which the same may be reported to the Senate, and he shall place no other bills thereon.

VIII½.

Senate bills or bills that have passed the Assembly and have been acted upon favorably by the proper Senate committee, to the passage of which there is no objection, may, on Thursday of each week, be called up as a special order, immediately after the approval of the Journal and may be passed the several readings, under a suspension of the constitutional provision; and a motion to suspend such provision shall be in order. If any ten Senators shall object to the consideration of any bill under this rule, such bill shall be set aside, retaining its position on the file and shall not be considered that day.

IX.—SECRETARY TO POST GENERAL FILE DAILY.

The Secretary shall post each morning, in a conspicuous place, and place upon the desk of each Senator, a list of all bills upon the General File, giving their order, and also setting forth their number and so much of their title as necessary to enable the Senators to understand their general purport.

X.—ENGROSSED BILLS TO BE EXAMINED AND REPORTED.

All bills, amendments, and resolutions, after being engrossed in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

XI. —ENGROSSED BILLS HAVE PREFERENCE.

All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a General File, and shall be taken up for consideration and passage in the order of their being placed on the file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

XII.—AMENDMENTS AND SUBSTITUTES.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment; and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

XIII.—AMENDMENTS AND SUBSTITUTES MUST BE GERMANE.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

XIV.—LEAST SUM AND SHORTEST TIME IN FILLING BLANKS.

In filling up blanks, the least sum or number and the shortest time shall be put first.

XV.—SHORT OF FINAL QUESTION, TWO-THIRDS VOTE NOT REQUISITE ON PROPOSITIONS TO AMEND CONSTITUTION.

When an amendment to the Constitution, or any bill requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

XVI.—STANDING COMMITTEES.

The following Standing Committees shall be appointed :

1. Agriculture, Horticulture, Viniculture, and Viticulture—nine members.
2. Attachés, Contingent Expenses, and Mileage—five members.
3. Banks and Banking—seven members.
4. City, City and County, and Town Governments—nine members.
5. Claims—seven members.
6. Commerce and Navigation—seven members.
7. Constitutional Amendments—five members.
8. Corporations—eleven members.
9. Counties and County Boundaries—nine members.
10. County Government and Township Organization—nine members.
11. Education and Public Morals—seven members.
12. Elections—seven members.
13. Enrolled and Engrossed Bills—seven members.
14. Federal Relations and Immigration—seven members.
15. Finance—seven members.
16. Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game—five members.
17. Harbors, Rivers, and Coast Defenses—five members.
18. Hospitals—five members.
19. Irrigation and Water Rights—thirteen members.
20. Judiciary—eleven members.
21. Labor and Capital—nine members.
22. Mines, Drainage, and Mining Debris—seven members.
23. Military Affairs—seven members.
24. Public Buildings other than Prison Buildings—eleven members.
25. Public Printing—three members.
26. Public and Swamp and Overflowed Lands—five members.
27. Roads and Highways—seven members.
28. State Library and Rules—three members.
29. State Prisons and Prison Buildings—nine members.

XVI½.

No leave of absence shall be granted to any greater number than three of any standing or special committee, for the purpose of visiting any public building or institution, except by a two-thirds vote of the entire Senate.

XVII.—COMMITTEES APPOINTED BY THE PRESIDENT OF THE SENATE.

All committees of the Senate, standing and special, and all joint committees on the part thereof, shall be appointed by the President of the Senate, unless otherwise specially ordered.

XVIII.—CLERKSHIPS OF COMMITTEES.

The Chairman of each committee may appoint a Clerk without permission of the Senate.

XIX.—ORDER OF QUESTIONS ON MOTION TO REFER.

When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

XX.—CLAIMS ON CONTINGENT FUND MUST GO TO THE COMMITTEE ON CONTINGENT EXPENSES.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

XXI.—ORDER OF PRIVILEGED QUESTIONS UNDER DEBATE.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

XXII.—MOTION NOT TO BE DEBATED UNTIL SECONDED AND ANNOUNCED.

No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing, if desired by the President or any Senator, and read by the Secretary before the same shall be debated. A motion may be withdrawn at any time before amendment.

XXIII.—READING OF A PAPER, IF OBJECTED TO, DETERMINED WITHOUT DEBATE.

When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

XXIV.—SENATORS MUST ADDRESS THE PRESIDENT.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No Senator shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

XXV.—THE SENATOR ENTITLED TO FLOOR.

When two or more Senators rise at once, the President shall name the Senator who is to speak first.

XXVI.—SENATOR, WHEN CALLED TO ORDER, MUST SIT DOWN.

When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

XXVII.—FINAL QUESTION ON SECOND READING OF BILLS—NO AMENDMENT ON THIRD READING, BUT MAY COMMIT.

The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall the bill be engrossed, and read a third time?" And no amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions.

XXVIII.—AYES AND NOES—MEMBERS MUST ANSWER—NO VOTE AFTER ANNOUNCEMENT OF VOTE.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put, shall declare openly, and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically.

When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the chair.

XXIX.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken by a Senator voting with the majority; and it shall not be in order for any Senator to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session.

XXX.—SECRETARY, UPON NOTICE OF RECONSIDERATION, NOT TO REPORT BILL TO ASSEMBLY.

If a Senator give notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

XXXI.—TITLES OF BILLS MUST BE IN JOURNAL.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

XXXII.—WHEN NOT IN COMMITTEE OF THE WHOLE, PROCEEDINGS MUST BE ENTERED IN JOURNAL. VOTES ALWAYS ENTERED.

The proceedings of the Senate, when not acting as Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall also be inserted in the Journal.

XXXIII.—RULES IN SENATE AND COMMITTEE OF THE WHOLE.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

XXXIV.—CASES NOT PROVIDED FOR, CUSHING TO GOVERN.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

XXXV.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the Senate shall be rescinded or changed, without a vote of three fifths, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of three fifths of the Senators present, except that portion of Rule 6 relating to the final passage of bills. All proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

XXXVI.—POWERS AND PREROGATIVES OF PRESIDENT.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the Journals, papers, and bills of the Senate; he shall see that all officers of the Senate perform their respective duties, and may assign places to reporters.

XXXVII.—PRESIDENT MAY ORDER LOBBIES CLEARED.

In case of a disturbance, or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

XXXVIII.—PRESIDENT MAY CALL SENATORS TO THE CHAIR.

The President shall have the right to name any Senator to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President, but such substitute shall not lose the right of voting on any question while so presiding.

XXXIX.—SERGEANT-AT-ARMS.

A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by

authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms, for every arrest, for each day's custody and release, and for traveling expenses for himself and special messenger, going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators, to prepare checks, and, if required so to do, draw the money on such checks for the Senators (the same being previously signed by the President, and indorsed by the Senator or person to whom the check is made), and pay over the same to the Senator or person entitled thereto.

XI. MESSENGERS—WHEN INTRODUCED.

Messengers are introduced in any state of business, except while a question is being put, while the ayes and noes are being called, while the ballots are being counted.

XII.—DOORKEEPER.

It shall be the duty of the Doorkeeper to prohibit all persons, except Senators, members of the Assembly, State officers, officers of the two houses, and such reporters as have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the President or a Senator; and to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

XLII.—EXECUTIVE NOMINATIONS.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

XLIII.—PRINTING.

Five hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter and the quantity, before payment shall be made or bills audited therefor. Two copies of each bill or paper printed by order of the Senate shall be delivered to each Senator and a number equal to the committee to whom such bill is referred, and the balance shall be distributed according to law.

XLIV.—NUMBER OF COPIES TO BE PRINTED.

Three hundred and sixty copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

XLV.—SECRET SESSION.

On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require secrecy, the President shall require all persons, except the Senators, Secretaries, Sergeant-at-Arms, and Doorkeeper of the Senate, to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer shall keep secret all such matters, proceedings, and things whereof secrecy shall be enjoined by order of the Senate.

XLVI.—ORDER OF ENGROSSING AND ENROLLING BILLS.

All bills ordered engrossed shall be delivered to the Engrossing Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing Clerk taken therefor; and all said bills shall be engrossed in the order of their receipt, by said Engrossing Clerk; and all senate bills shall, after their final passage by and receipt from the Assembly, be delivered to the Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Enrolling Clerk taken therefor; and said bills shall be enrolled by the Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

XLVII.—PRINTING THE DAILY JOURNAL.

The Superintendent of State Printing shall print a sufficient number of copies of the Journal of every day's proceedings of the Senate to supply Senators, daily, during the session, with the Journal of the previous day's proceedings; and also a sufficient number of copies, with proper repaging, to bind at the end of the session of the Legislature, in book form, as the Journal of the Senate, required by law.

XLVIII.—AUTHOR TO SPEAK LAST.

The author of a bill, motion, or resolution, shall have the privilege of closing the debate.

XLIX.

All committees of the Senate shall report their action on all bills or matters referred to them within five days after reference, unless otherwise specially ordered.

L.—FORM OF PREVIOUS QUESTION—CALL OF SENATE.

The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division, and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority of Senators shall have seconded such motion, no call shall be in order prior to the decision of the main question.

LI

A Senator, after the notice of motion to reconsider is given, as provided in Rule 29, may, at the time of consideration of such motion, present the main question in his argument thereon, and the same may be debated by the Senate.

MOTION.

Senator Carpenter moved that Rule 1 be amended to read as follows: by striking out the word "eleven," and inserting the word "ten" in place thereof.

Adopted.

RESOLUTION.

By Senator Seawell:

Resolved, That the Assistant Sergeant-at-Arms be instructed and directed not to interrupt a Senator, when addressing the Senate, by announcement of Assembly messages, and that Rule 40 of the Senate be amended to conform to this resolution.

Adopted.

Senator McGowan moved that Rule 29 be amended as follows:

After the word "adjourn" add the following:

Provided, however, that it shall require twenty-one votes to carry any motion to reconsider the vote by which any bill has been passed or defeated.

Adopted.

The rules of the Senate as a whole were then adopted.

MOTION.

Senator Ostrom moved that three hundred and fifty copies of the Senate Standing Rules be printed.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on the 9th day of January, adopted Assembly Joint Resolution No. 2—Relative to mining and river interests of the State of California.

GEO. W. PECKHAM, Chief Clerk.
By J. T. RYAN, Assistant Clerk.

ASSEMBLY JOINT RESOLUTION.

Assembly Joint Resolution No. 2—Relative to the Mining and River Interests of the State:

WHEREAS, The interests of the State of California demand an immediate solution and satisfactory adjustment of the hydraulic mining and river interests in this State; and whereas, two State conventions, composed of representatives of all industries therein, have so agreed; be it

Resolved by the Assembly of the State of California, the Senate concurring. That the Congress of the United States be hereby urged to speedily enact the measure known as

Caminetti's House Bill No. —, relating to hydraulic mining and river improvements in the State of California, or some other measure, which, in the judgment of that honorable body, will serve the purposes set forth in said Act.

Resolved, That the Governor is hereby requested to affix his official signature to this resolution, and cause a certified copy thereof to be forwarded by telegraph to our Representatives and Senators in Congress.

MOTION.

Senator Ford moved that Assembly Joint Resolution No. 2 be read for information of the Senate, and that the Senate concur in the resolution without reference to committee.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Fay, Flint, Ford, Gosford, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Ostroff, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorhies, Whitehurst, and Williams—28.
NOES—Messrs. Carpenter, Goucher, Harp, Shippee, and Wilson—5.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Arms: Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets, or public highways, of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government, at all times while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Referred to Committee on City, City and County, and Town Governments.

By Senator Bailey: Senate Bill No. 2—An Act to increase the number of Judges of the Superior Court of Santa Clara County, State of California, and for the appointment of such additional Judge.

Referred to Committee on Judiciary.

Also: Senate Bill No. 3—An Act establishing a Commission for the revision of the laws.

Referred to Committee on Judiciary.

Also: Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Biggy: Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Broderick: Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Referred to Committee on Finance.

Also: Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such inspectors.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants, and over that number; providing how such inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such inspectors.

Referred to Committee on City, City and County, and Town Governments.

By Senator Burke: Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo in trust for the use of the public.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 10—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Referred to Committee on Judiciary.

Also: Senate Bill No. 12—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relating to the duties and compensation of Court reporters, and to add a new section to said Act, to be known as section number two hundred and seventy-four and one half, providing for the appointing of reporters pro tempore in any action.

Referred to Committee on Judiciary.

Also: Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Referred to Committee on Hospitals.

By Senator Campbell: Senate Bill No. 14—An Act to regulate the rate of interest in this State.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 15—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 16—An Act to prohibit prize fighting and pugilistic sport.

Referred to Committee on Education and Public Morals.

By Senator Carpenter: Senate Bill No. 17—An Act to provide for the appointment, by the Supreme Court, of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and

to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Referred to Committee on Judiciary.

Also: Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Referred to Committee on Judiciary.

Also: Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases pending an appeal to the Supreme Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 21—An Act to create the office of Commissioner of Horticultural Statistics, and to appropriate money for his salary and expenses.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Denison: Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Carpenter: Senate Bill No. 23—An Act to amend sections two hundred and seventy-six and two hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law.

Referred to Committee on Judiciary.

By Senator Denison: Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

Referred to Committee on Judiciary.

By Senator Earl: Senate Bill No. 26—An Act to prevent corrupt practices in elections, and to provide for publicity in election expenses.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 27—An Act to amend section fourteen hundred and twenty-six of the Political Code, relating to the appointment of members of Board of Regents of University of California.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 28—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 29—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 30—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 31—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 32—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

By Senator Fay: Senate Bill No. 33—An Act to provide for organizing, establishing, and maintaining paid fire departments within cities and towns, and cities and counties, in the State of California, to be under the control and supervision of a Board of Fire Commissioners.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 34—An Act to provide for furnishing clerks and copyists to the County Clerk of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official service, and of fines, penalties, and the like imposed.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 37—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 38—An Act to appropriate money for the sup-

port of persons in indigent circumstances, afflicted with incurable diseases.

Referred to Committee on Finance.

Also: Senate Bill No. 39—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," relating to the husband's control and disposition of the community property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment or seawall of the port of San Francisco.

Referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 41—An Act to amend sections three thousand six hundred and thirty-six, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, and three thousand seven hundred and eighty-five of the revenue laws of the State of California.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 43—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 44—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violation of the fish laws.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 45—An Act to amend section six hundred and thirty-six of the Penal Code of the State of California, in relation to violations of the fish laws.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 46—An Act to amend sections six hundred and twenty-six and six hundred and thirty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of the State."

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Ford: Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Referred to Committee on Finance.

Also: Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also (by request): Senate Bill No. 51—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest and the right of action to recover taxes so paid.

Referred to Committee on Judiciary.

By Senator Gesford: Senate Bill No. 52—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure of the State of California, relating to the manner of selecting grand and trial jurors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 53—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 54—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Referred to Committee on Judiciary.

By Senator Everett: Senate Bill No. 56—An Act appropriating money to pay the claim of Jerome Deasy, for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery.

Referred to Committee on Claims.

By Senator Gesford: Senate Bill No. 57—An Act to amend sections six and nine of the Insolvent Act of 1880, of the State of California, relating to the orders of Court to be made upon filing petitions in insolvency.

Referred to Committee on Judiciary.

Also: Senate Bill No. 58—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

Also: Senate Bill No. 59—An Act to amend section two hundred and sixty-seven of the Penal Code of the State of California, relating to the crime of abduction.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 60—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, and to renumber said sections, relating to defrauding proprietors or managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Referred to Committee on Judiciary.

Also: Senate Bill No. 61—An Act to prevent persons from entering upon the inclosed lands of another for the purpose of shooting, or hunting, or fishing, or discharging firearms thereon.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 64—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 65—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 66—An Act making an appropriation for the relief of Marion Wells.

Referred to Committee on Claims.

Also: Senate Bill No. 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891.

Referred to Committee on Judiciary.

Also: Senate Bill No. 68—An Act to pay the claim of George Nelson against the State of California.

Referred to Committee on Claims.

By Senator McAllister: Senate Bill No. 69—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 70—An Act to amend section one thousand seven hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools.

Referred to Committee on Education and Public Morals.

By Senator McGowan: Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of butter and cheese, and to appropriate money for its enforcement.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Maher: Senate Bill No. 72—An Act to provide for a day of rest from labor.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 73—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-four, relating to eight hours' labor.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 75—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Referred to Committee on Corporations.

Also: Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Referred to Committee on Hospitals.

By Senator Mahoney: Senate Bill No. 77—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 78—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Referred to Committee on Corporations.

Also: Senate Bill No. 79—An Act to amend section ten of an Act to create a Police Court in and for the City and County of San Francisco, State of California, approved March 5, 1889.

Referred to Committee on Judiciary.

Also: Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 81—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as section three hundred and eight, relating to the sale and use of opium and any preparation thereof.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 82—An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Referred to Committee on Corporations.

Also: Senate Bill No. 83—An Act to define express companies, and to

prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Referred to Committee on Corporations.

Also: Senate Bill No. 84—An Act to amend sections six hundred and twenty-eight and six hundred and thirty of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to gas corporations.

Referred to Committee on Corporations.

Also: Senate Bill No. 85—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 86—An Act regulating the charges of telephone companies, and of corporations and individuals operating telephone and telephone lines.

Referred to Committee on Corporations.

Also: Senate Bill No. 87—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty thereof.

Referred to Committee on Corporations.

Also: Senate Bill No. 88—An Act to amend an Act entitled "An Act to establish a Penal Code" approved February 14, 1872, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also (by request): Senate Bill No. 89—An Act to amend sections three hundred and seven and three hundred and twelve of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also: Senate Bill No. 90—An Act for the better protection of the stockholders of corporations doing business in the State of California, formed for any purpose whatsoever.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Senator Gesford: Senate Bill No. 91—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 92—An Act to amend sections three hundred and thirty-two and three hundred and forty-two of the Civil Code, relative to assessments and the sale of the stock of corporations.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Senator Mathews: Senate Bill No. 93—An Act to amend sections two and five of an Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto, approved March 14, 1889.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 94—An Act amending section one hundred and twenty-four of the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, and adding to the Political Code two new sections, to be known and designated, respectively, as sections three thousand six hundred and forty and four thousand two hundred and sixty of the Political Code, relative to transfers of real estate and interests therein upon the county assessment books.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 95—An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of Los Angeles, State of California, and for the appointment of such additional Judges," approved March 11, 1889, and to reduce the number of Judges of said county from six to four.

Referred to Committee on Judiciary.

Also: Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 97—An Act to amend section forty-three of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended by an Act approved March 17, 1891, which added section forty-three to said original Act.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 98—An Act to provide for the publication of monthly statements, by the Auditor, of county indebtedness.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 99—An Act to provide for the publication of monthly statements of city indebtedness.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 100—An Act adding a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, to be known and designated as section ninety-one and one half, and amending sections seventy-one, seventy-two, and one hundred and fifteen of said Act, and section three thousand eight hundred and ninety of the Political Code, the purpose of this Act being to consolidate the offices of Tax Collector and County Treasurer under the name of County Treasurer.

Referred to Committee on County Government and Township Organization.

By Senator Mitchell: Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by State Board of Examiners.

Referred to Committee on Claims.

By Senator Orr: Senate Bill No. 102—An Act to amend the Penal Code by adding a new section thereto, to be numbered five hundred and ninety-three, relating to the destruction of trees growing on highways.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of the Code of Civil Procedure.

Referred to Committee on Judiciary.

Also: Senate Bill No. 104—An Act to amend sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, and one thousand six hundred and two of the Political Code, and to add a new section thereto, to be known as section one thousand six hundred and three, relating to the election of School Trustees.

Referred to Committee on Elections.

Also: Senate Bill No. 105—An Act to prevent the use of fraudulent marks on merchandise.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 107—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Mahoney: Senate Bill No. 108—An Act to amend section two thousand one hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to common carriers.

Referred to Committee on Corporations.

By Senator Ostrom: Senate Bill No. 109—An Act providing for the punishment of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases.

Referred to Committee on Judiciary.

Also: Senate Bill No. 110—An Act to promote the purity of elections.

Referred to Committee on Education and Public Morals.

By Senator Ragsdale: Senate Bill No. 111—Relative to the sale of imitation butter.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 112—Relative to proof and acknowledgment of instruments.

Referred to Committee on Judiciary.

Also: Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Referred to Committee on Finance.

Also: Senate Bill No. 114—Relative to sale of live stock.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relative to amending articles of incorporations.

Referred to Committee on Judiciary.

Also: Senate Bill No. 116—Relative to mutual insurance companies.

Referred to Committee on Corporations.

Also: Senate Bill No. 117—Relative to the sale of olive oil.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 118—An Act for the relief of the widow of Albert P. Crigler.

Referred to Committee on Finance.

By Senator Seawell: Senate Bill No. 119—An Act to change the name of the Mendocino State Asylum for the Insane to "Mendocino Asylum."

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an administration building for the Mendocino State Asylum for the insane; to complete the female ward; to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground and constructing yard fencing; for constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor and provide for the expenditure of the same.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan and Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Referred to Committee on Claims.

Also: Senate Bill No. 123—An Act to provide for opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire all land and property necessary or convenient for such purposes.

Referred to Committee on City, City and County, and Town Governments.

By Senator Seymour: Senate Bill No. 124—An Act to amend section six hundred and eighty of the Political Code, in relation to the investment of school funds, and validating bonds purchased therewith.

Referred to Committee on Judiciary.

Also: Senate Bill No. 125—An Act to abolish commissions, or fees, paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Referred to Committee on Judiciary.

Also: Senate Bill No. 126—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners from February 15, 1891, to March 21, 1891.

Referred to Committee on Claims.

Also: Senate Bill No. 127—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code, relating to mortgages of personal property.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 128—An Act authorizing the incurring of indebtedness and issuance of bonds by cities, towns, and municipal corporations incorporated under the laws of this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 129—An Act entitled "An Act to amend an Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of the Civil Code, and to add seventeen new sections to said Civil Code, providing for the formation and government of mutual building and loan associations."

Referred to Committee on Judiciary.

Also: Senate Bill No. 130—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Referred to Committee on Judiciary.

By Senator Streeter: Senate Bill No. 131—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Referred to Committee on Counties and County Boundaries.

By Senator Voorhies: Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 133—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Referred to Committee on Banks and Banking.

Also: Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all mines operated in the State of California, and for the protection of miners.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also (by request): Senate Bill No. 135—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Referred to Committee on Finance.

By Senator Whitehurst: Senate Bill No. 136—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of

California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 137—An Act to establish Board of Parole Commissioners for the parole of and government of paroled prisoners.

Referred to Committee on Education and Public Morals.

By Senator Wilson: Senate Bill No. 138—An Act relating to interest and usury.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Simpson: Senate Bill No. 139—An Act to amend section one hundred and sixty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County Government and Township Organization.

SENATE CONSTITUTIONAL AMENDMENTS.

The following Senate Constitutional Amendments were introduced, read by title, and referred to committees, as follows:

By Senator Gesford: Senate Constitutional Amendment No. 1—A resolution proposing to the people of the State of California an amendment to section seven of article one of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Senator Mathews: Senate Constitutional Amendment No. 2—The Legislature of the State of California, at its regular session, commencing on the second day of January, eighteen hundred and ninety-three, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that the Constitution of the State of California be amended by repealing sections four and five of article thirteen thereof, and by amending section one of said article.

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Senator Voorhies (by request): Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article first thereof, relative to trial by jury.

Referred to Committee on Constitutional Amendments.

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article first thereof, relative to trial by jury.

Referred to Committee on Constitutional Amendments.

SENATE JOINT RESOLUTIONS.

By Senator Ostrom: Senate Joint Resolution No. 4—Relating to the restriction of undesirable immigration to this country.

Referred to Committee on Federal Relations.

By Senator Voorhies: Senate Joint Resolution No. 5—Relative to the indebtedness of the United States Government to the State of California.

Referred to Committee on Federal Relations.

SENATE CONCURRENT RESOLUTION.

By Senator Hart: Senate Concurrent Resolution No. 2—Relative to approval of the charter of the city of Sacramento, State of California.

MOTION.

Senator Hart moved that Senate Concurrent Resolution No. 2 be placed on file without reference to a committee.
So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, January 9, 1893.

MR. PRESIDENT: Your Committee on Agriculture beg leave to report Senate Joint Resolution No. 3, relative to the Washburn Anti-Option bill, and recommend its immediate adoption.

W. A. SHIPPEE, Chairman.
D. A. OSTROM.
H. M. STREETER.
THOS. FLINT, Jr.
J. W. RAGSDALE.
HENRY M. GESFORD.
H. C. WILSON.

SENATE JOINT RESOLUTION.

By Senator Ostrom: Senate Joint Resolution No. 3:

WHEREAS, It is urged by individuals, and by all farmer organizations of the country, that trading, dealing, or doing business on a system known as futures and options is greatly to the injury of the producers of the State of California and of the United States, and more particularly to the "cereal" producers; and by such trading and manipulation of a fictitious volume of products vast quantities of the same are made to appear which have no existence in fact, thereby directly and greatly injuring and impoverishing a great class of our most worthy citizens, and indirectly depressing the entire business of the country; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring. That we favor the immediate passage of "H. R. 7845," known as an Act defining options and futures, imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes, otherwise known as the Washburn Anti-Option bill; and be it further

Resolved. That we urge our Senators and Representatives in Congress to use every honorable means to procure the immediate passage of said bill and to its enactment as a law of the land.

Resolved. That upon the adoption of the foregoing preamble and resolutions, it shall be the duty of the Governor to immediately transmit a copy of the same to each of our Representatives in Congress, to the presiding officer of each house, and to the President at Washington.

MOTION.

Senator Shippee moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—MESSRS. ARMS, BIGGY, BRODERICK, BURKE, CAMPBELL, EARL, EVERETT, FAY, FLINT, FORD, HARP, HART, HOYT, LANGFORD, MAHER, MATHEWS, MITCHELL, ORR, OSTROM, RAGSDALE, SEAWELL, SEYMOUR, SHIPPEE, SIMPSON, STREETER, VOORHIES, WHITEHURST, WILLIAMS, and WILSON—29.

NOES—None.

Senator Shippee moved that the Secretary be instructed to transmit the same immediately to the Assembly.
So ordered.

RESOLUTIONS.

By Senator Broderick:

Resolved, That Charles Robinson be and he is hereby allowed the sum of twenty-four (\$24) dollars for services rendered as Gallery Porter in the temporary organization of this body, and the Controller is hereby directed to draw his warrant for said amount, payable out of the fund for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Mathews:

Resolved, That C. Peck be and is hereby allowed the sum of twenty-four dollars for six days' services as Rear Porter, at a salary of four dollars per diem; that the Controller be authorized and directed to draw his warrant, payable out of the Contingent Fund of the Senate, for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Voorhies:

Resolved, That all bills appropriating money for any and all purposes be referred to the Finance Committee before final action is taken.

Adopted.

SENATE JOINT RESOLUTION.

By Senator Mathews: Senate Joint Resolution No. 6—

Resolved, That it is the sense of the Chamber of Commerce of Los Angeles that the Congress of the United States should, at its present session, take such action as will cause the proposed ship canal through Nicaragua to be constructed as rapidly as practicable, and under Government control.

Resolved, That this Chamber of Commerce communicate immediately with the Representatives of this section in the Senate and House of Representatives, urging upon them the necessity of doing all in their power to hasten such legislation, and communicate also with its Representatives in the State Legislature, urging that body to memorialize Congress in behalf of the Nicaragua Canal.

Referred to Committee on Federal Relations.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were taken up and read, on motion of Senator Voorhies:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 9, 1893.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the twenty-ninth session of the Legislature, I have made the following appointments to vacancies occurring in offices, the appointments to which is vested in the Governor and Senate:

Regents of the State University.—April 13, 1892, Henry S. Foote, of San Francisco, vice D. M. Delmas, resigned.

Reform School for Juvenile Offenders.—April 15, 1892, F. A. Gibson, of Los Angeles, vice James R. Lowe, resigned; December 21, 1892, J. M. Elliott, of Los Angeles, vice Hervey Lindley, resigned.

Stockton Insane Asylum.—March 26, 1892, Archibald McDonald, of San José, vice Robert Watt, resigned.

State Prison Director.—May 25, 1892, Daniel E. Hayes, of San Francisco, vice Irwin C. Stump, resigned.

California Home for the Care and Training of Feeble-Minded Children.—November 14, 1891, F. W. Lougee, of Sonoma County, vice William Harney, deceased; June 11, 1892, W. S. Wood, of San Francisco County, vice Mrs. Julia M. Judah, resigned.

Fish Commissioners.—November 5, 1892, Hugh L. Macneil, of Los Angeles, vice Ramon E. Wilson, resigned; December 19, 1892, William C. Murdock, of San Francisco, vice Joseph Morizio, resigned.

Brigadier-General of the National Guard.—November 6, 1891, M. W. Muller, of Fresno, vice J. H. Budd, retired.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate J. M. Elliott, of the county of Los Angeles, to the office of Trustee of the Reform School for Juvenile Offenders, to succeed Hervey Lindley, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate F. A. Gibson, of the county of Los Angeles, to the office of Trustee of the Reform School for Juvenile Offenders, to succeed James R. Lowe, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate F. W. Lougee, of the county of Sonoma, to the office of Trustee of the California Home for the Care and Training of Feeble-Minded Children, to succeed William Harney, deceased, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate W. S. Wood, of the county of San Francisco, to the office of Trustee of the California Home for the Care and Training of Feeble-Minded Children, to succeed Mrs. Julia M. Judah, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate William C. Murdock, of the county of San Francisco, to the office of Fish Commissioner, to succeed Joseph Morizio, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate Hugh L. Macneil, of Los Angeles County, to the office of Fish Commissioner, to succeed Ramon E. Wilson, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate Archibald McDonald, of the county of Santa Clara, to the office of Director of the Stockton Insane Asylum, to succeed Robert Watt, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate Henry S. Foote, of the county of San Francisco, to the office of Regent of the State University, to succeed D. M. Delmas, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate M. W. Muller, of the county of Fresno, to the office of Brigadier-General of the National Guard, Third Brigade, to succeed J. H. Budd, retired, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I hereby nominate Daniel E. Hayes, of the county of San Francisco, to the office of State Prison Director, to succeed Irwin C. Stump, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

MOTION.

Senator Voorhies moved that the Governor's messages be made the special order for to-morrow morning immediately after the reading of the Journal.

So ordered.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Senator Maher, the Senate adjourned until to-morrow at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER, }
Tuesday, January 10, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gestford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF JOURNAL.

During the reading of the Journal, Senator Campbell moved that the further reading of the Journal be dispensed with.

So ordered.

CORRECTION OF JOURNAL.

Senator Campbell moved that the Journal of yesterday be corrected, as follows: That the name of Senator Ostrom be recorded as voting "aye" instead of "no" on the adoption of Assembly Joint Resolution No. 2, on page nine of the Journal.

So ordered.

SPECIAL ORDER.

The following message from the Governor, which was received yesterday and made the special order for to-day immediately after the reading of the Journal, was taken up and read, as follows:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, January 9, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the twenty-ninth session of the Legislature, I have made the following appointments to vacancies occurring in offices, the appointments to which is vested in the Governor and Senate:

Regents of the State University.—April 13, 1892, Henry S. Foote, of San Francisco, vice D. M. Delmas, resigned.

Reform School for Juvenile Offenders.—April 15, 1892, F. A. Gibson, of Los Angeles, vice James R. Lowe, resigned; December 21, 1892, J. M. Elliott, of Los Angeles, vice Hervey Lindley, resigned.

Stockton Insane Asylum.—March 26, 1892, Archibald McDonald, of San José, vice Robert Watt, resigned.

State Prison Directors.—May 25, 1892, Daniel E. Hayes, of San Francisco, vice Irwin C. Stump, resigned.

California Home for the Care and Training of Feeble-Minded Children.—November 14, 1891, F. W. Lougee, of Sonoma County, vice William Harney, deceased; June 11, 1892, W. S. Wood, of San Francisco County, vice Mrs. Julia M. Judah, resigned.

Fish Commissioners.—November 5, 1892, Hugh L. Macneil, of Los Angeles, vice Ramon E. Wilson, resigned; December 19, 1892, William C. Murdock, of San Francisco, vice Joseph Morizio, resigned.

Brigadier General of the National Guard.—November 6, 1891, M. W. Muller, of Fresno, vice J. H. Budd, retired.

H. H. MARKHAM, Governor.

Senator Voorhies moved that the Senate proceed to the consideration of the Governor's message, relative to the appointments made by Governor Markham.

The President announced for consideration the confirmation of J. M. Elliott, of the county of Los Angeles, to the office of Trustee of the Reform School for Juvenile Offenders, to succeed Hervey Lindley, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of J. M. Elliott as Trustee of the Reform School for Juvenile Offenders?" by direction of the President the roll was called, with the following result:

AYES—MESSRS. ARMS, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchel, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—39.

NOES—None.

Whereupon, the President announced the appointment of J. M. Elliott as Trustee of the Reform School for Juvenile Offenders duly confirmed.

Consideration of the confirmation of F. A. Gibson, of the county of Los Angeles, to the office of Trustee of the Reform School for Juvenile Offenders, to succeed James R. Lowe, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of F. A. Gibson as Trustee of the Reform School for Juvenile Offenders?" by direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—38.

NOES—None.

Whereupon, the President announced the appointment of F. A. Gibson as Trustee of the Reform School for Juvenile Offenders duly confirmed.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

Consideration of the nomination of F. W. Lougee, of the county of Sonoma, to the office of Trustee of the California Home for the Care and Training of Feeble-Minded Children, to succeed William Harney, deceased.

Upon the question, "Will the Senate advise and consent to the appointment of F. W. Lougee as Trustee of the California Home for the Care and Training of Feeble-Minded Children?" by direction of the President pro tem. the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—36.

NOES—None.

Whereupon, the President pro tem. announced the appointment of F. W. Lougee as Trustee of the California Home for the Care and Training of Feeble-Minded Children duly confirmed.

Consideration of the confirmation of W. S. Wood, of the county of San Francisco, to the office of Trustee of the California Home for the Care and Training of Feeble-Minded Children, to succeed Mrs. Julia M. Judah, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of W. S. Wood as Trustee of the California Home for the Care and Training of Feeble-Minded Children?" by direction of the President pro tem. the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—38.

NOES—None.

Whereupon, the President pro tem. announced the appointment of W. S. Wood as Trustee of the California Home for the Care and Training of Feeble-Minded Children duly confirmed.

Consideration of the confirmation of William C. Murdock, of the county of San Francisco, to the office of Fish Commissioner, to succeed Joseph Morizio, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of William C. Murdock as Fish Commissioner?" by direction of the President pro tem. the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—38.

NOES—None.

Whereupon, the President pro tem. announced the appointment of William C. Murdock as Fish Commissioner duly confirmed.

Consideration of the confirmation of Hugh L. Macneil, of Los Angeles County, to the office of Fish Commissioner, to succeed Ramon E. Wilson, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of Hugh L. Macneil as Fish Commissioner?" by direction of the President pro tem. the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—37.

NOES—None.

President Reddick in the chair.

Whereupon, the President announced the appointment of Hugh L. Macneil as Fish Commissioner duly confirmed.

Consideration of the confirmation of Archibald McDonald, of the county of Santa Clara, to the office of Director of the Stockton Insane Asylum, to succeed Robert Watt, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of Archibald McDonald as Director of the Stockton Insane Asylum?" by direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—35.

NOES—None.

Whereupon, the President announced the appointment of Archibald McDonald as Director of the Stockton Insane Asylum duly confirmed.

Consideration of the confirmation of Henry S. Foote, of the county of San Francisco, to the office of Regent of the State University, to succeed D. L. Delmas, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of Henry S. Foote to the office of Regent of the State University?" by direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson—36.

NOES—None.

Whereupon, the President announced the appointment of Henry S. Foote as Regent of the State University duly confirmed.

Consideration of the confirmation of M. W. Muller, of the county of Fresno, to the office of Brigadier-General of the National Guard, Third Brigade, to succeed J. H. Budd, retired.

Upon the question, "Will the Senate advise and consent to the appointment of M. W. Muller as Brigadier-General of the National Guard, Third Brigade?" by direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, Williams, and Wilson—35.

NOES—None.

Whereupon, the President announced the appointment of M. W. Muller as Brigadier-General of the National Guard, Third Brigade, duly confirmed.

Consideration of the confirmation of Daniel E. Hayes, of the county of San Francisco, to the office of State Prison Director, to succeed Irwin C. Stump, resigned.

Upon the question, "Will the Senate advise and consent to the appointment of Daniel E. Hayes as State Prison Director?" by direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, and Williams—29.

NOES—Messrs. Burke, Harp, Ostrom, Seawell, and Wilson—5.

Whereupon, the President announced the appointment of Daniel E. Hayes as State Prison Director duly confirmed.

LEAVE OF ABSENCE.

Senator Gesford asked leave of absence for one day for Senator Goucher.

Granted.

PRESENTATION OF PETITIONS.

Senator Denison presented a petition from the members of the bar of Alameda County, requesting that two additional Judges of the Superior Court be provided for said county.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Earl: Senate Bill No. 140—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Referred to Committee on Judiciary.

By Senator Hart (by request): Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 142—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 143—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section one thousand nine hundred and seventy, relating to the responsibility of employers.

Referred to Committee on Labor and Capital.

By Senator Gesford: Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Referred to Committee on Finance.

By Senator Seawell: Senate Bill No. 145—An Act to amend section six hundred and ninety-two of an Act entitled "An Act to establish the Code of Civil Procedure of California," approved January 1, 1873.

Referred to Committee on Judiciary.

By Senator Ragsdale: Senate Bill No. 146—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the law of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever;" and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for the increase in the annual appropriation therefor, and changing the time for the payment thereof.

Referred to Committee on Finance.

Also: Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry, and bath house, and for improvement of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situated in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Referred to Committee on Finance.

Also: Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries."

Referred to Committee on Finance.

By Senator Denison: Senate Bill No. 150—An Act to amend section three thousand seven hundred and fifty-one of the Political Code of this State, relating to revenue and taxation.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 151—An Act to provide for the leasing and disposition of water for mechanical and other purposes by irrigation districts organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 152—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 153—An Act to amend an Act entitled "An Act to establish a Political Code," by amending section six hundred and eighty thereof.

Referred to Committee on Judiciary.

Also: Senate Bill No. 154—An Act to amend an Act entitled "An Act to provide for the government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Referred to Committee on Irrigation and Water Rights.

By Senator Wilson: Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Referred to Committee on Judiciary.

By Senator Berry: Senate Bill No. 156—An Act to amend section one thousand nine hundred and four of an Act to establish a Political Code, approved March 12, 1872, approved March 20, 1889, relating to elections.

Referred to Committee on Elections.

Also: Senate Bill No. 157—An Act to amend section two thousand six hundred and forty-three, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of public highways.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 158—An Act to amend subdivision twenty-three of section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, which subdivision provides for advertising for bids for stationery for the use of the county and its officers, and provides the method of procuring blank books, job printing, and other supplies necessary for the use of the county and its officers.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 159—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former

assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Referred to Committee on Claims.

By Senator Williams: Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times" for advertising the election proclamation in the forty-second fiscal year.

Referred to Committee on Claims.

By Senator Burke: Senate Bill No. 161—An Act for the creation of a Commission for the promotion of uniformity of legislation in the United States.

Referred to Committee on Judiciary.

By Senator Langford: Senate Bill No. 162—An Act to encourage fiber culture.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator McAllister: Senate Bill No. 163—An Act to amend sections two thousand nine hundred and fifty-five and two thousand nine hundred and fifty-six of the Civil Code, in relation to mortgages of personal property.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 164—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 17, 1887, providing for the disorganization of irrigation districts.

Referred to Committee on Irrigation and Water Rights.

By Senator McGowan: Senate Bill No. 165—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Referred to Committee on Judiciary.

Also: Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Referred to Committee on Corporations.

Also: Senate Bill No. 167—An Act to amend section two hundred and seventy-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the admission of attorneys and counselors at law.

Referred to Committee on Judiciary.

Also: Senate Bill No. 168—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several counties of this State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 169—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law.

Referred to Committee on Judiciary.

Also: Senate Bill No. 170—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 171—An Act providing for the sale of railroad franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof shall take effect.

Referred to Committee on Corporations.

SENATE JOINT RESOLUTIONS.

The following Senate Joint Resolutions were introduced, read by title, and referred, as follows:

By Senator Wilson: Senate Joint Resolution No. 7—To provide for an amendment to the Constitution of the United States, prohibiting bankers and holders of bank stock from holding seats in Congress.

Referred to Committee on Federal Relations.

By Senator McGowan: Senate Joint Resolution No. 8—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Referred to Committee on Federal Relations.

Also: Senate Joint Resolution No. 9—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Referred to Committee on Federal Relations.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Hart: Senate Constitutional Amendment No. 6—To propose to the people of the State an amendment to the Constitution of the State, relating to poll tax.

Referred to Committee on Constitutional Amendments.

By Senator Mathews: Senate Constitutional Amendment No. 7—Proposed amendment to Article XIII of the Constitution, relative to the election of a State Board of Equalization.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS.

By Senator Everett:

Resolved, That Fred. Goodwin be and is hereby appointed Assistant Bill Clerk of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator McGowan:

Resolved, That the State Printer is hereby ordered to print five hundred copies of all Senate bills.

Adopted.

Also:

Resolved, That the Chairman of the Judiciary Committee is hereby authorized and empowered to appoint a Sergeant-at-Arms for said Judiciary Committee, at a per diem of six dollars, and a Messenger, at a per diem of five dollars, same to be paid out of the Contingent Fund of the Senate.

Senator McGowan moved the adoption of the resolution.

Senator Arms moved to amend by referring same to the Committee on Attachés, Contingent Expenses, and Mileage.

The ayes and noes were demanded by Senators Whitehurst, McGowan, and Seawell.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Arms, Burke, McAllister, Martin, Ostrom, and Wilson—6.

NOES—Messrs. Bailey, Berry, Biggy, Broderick, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mathews, Orr, Ragsdale, Simpson, Streeter, Voorhies, Whitehurst, and Williams—27.

The question recurring on the adoption of the original resolution, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Orr, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—28.

NOES—Messrs. Fay, Langford, and Ostrom—3.

By Senator Ragsdale:

Resolved, That the Secretary of State be and he is hereby ordered to supply to the Secretary of the Senate forty-five copies of Deering's Digest, and that the Controller is authorized to draw his warrant for same, payable out of the fund for the contingent expenses of the Senate.

Senator Orr moved to amend by making it five copies instead of forty-five.

Lost.

The question being on the adoption of the resolution, the same was lost by the following vote:

AYES—Messrs. Arms, Broderick, Denison, Everett, Ford, Gesford, Harp, Hart, Hoyt, and Whitehurst—10.

NOES—Messrs. Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Earl, Fay, Flint, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, and Wilson—26.

RECESS.

At eleven o'clock and five minutes A. M., on motion of Senator Mahoney, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

The Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

RESOLUTIONS—(OUT OF ORDER).

By Senator McGowan:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to place three copies of all printed bills on the desk of each newspaper correspondent on the floor of the Senate.

Adopted.

By Senator Streeter:

Resolved, That the State Printer be and is hereby instructed to print five hundred copies of the Senate Journal daily.

Adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Maher: Senate Bill No. 172—An Act for the relief of Peter E. Farrell, and to appropriate money therefor.

Referred to Committee on Claims.

By Senator Ostrom: Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Referred to Committee on Finance.

Also: Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Williams: Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Referred to Committee on State Prisons and Prison Buildings.

SENATE JOINT RESOLUTION.

Senator Langford offered the following Senate Joint Resolution, which was read by title, and referred, as follows:

Senate Joint Resolution No. 10—Relative to the abolishment of the duty on grain bags, burlaps, gunnys, or gunny cloth.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

ADJOURNMENT.

At two o'clock and ten minutes p. m., on motion of Senator Maher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 11, 1893.

The Senate met, pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gestford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

CORRECTION OF JOURNAL.

Senator Ostrom asked that the Journal of yesterday be corrected, as follows: That the name of Senator Ostrom be recorded as voting "no" instead of "aye" on the adoption of the resolution offered by Senator Ragsdale, on page ten of the Journal.

So ordered.

Senator Simpson also asked that the Journal of yesterday be corrected, so that he be recorded as voting "no" instead of "aye" on the adoption of the resolution offered by Senator Ragsdale, on page ten of the Journal.

So ordered.

LEAVE OF ABSENCE.

Senator Goucher was granted a leave of absence for one day, on motion of Senator Maher.

REPORTS OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 10, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolutions:

Resolved, That C. Peck be and is hereby allowed the sum of twenty-four dollars for six days' services as Rear Porter, at a salary of four dollars per diem; that the Controller be authorized and directed to draw his warrant, payable out of the Contingent Fund of the Senate, for the same.

Resolved, That Charles Robinson be and he is hereby allowed the sum of twenty-four (24) dollars for services rendered as Gallery Porter in the temporary organization of this body, and the Controller is hereby directed to draw his warrant for said amount, payable out of the fund for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STREETER, Chairman.

The report was read, the roll was called, and the resolutions adopted by the following vote:

AYES—Messrs. Campbell, Carpenter, Denison, Earl, Everett, Fay, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, and Williams—23.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, January 11, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Fred. Goodwin be and is hereby appointed Assistant Bill Clerk of the Senate, at a per diem of four dollars, the same to be paid out of the fund for contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Ford, Gesford, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorhies, Whitehurst, and Wilson—26.

NOES—None.

PRESENTATION OF PETITION—(OUT OF ORDER).

Senator Langford presented a petition from the farmers and citizens of the State, praying for the favorable consideration of the bill for the revival of ramie culture.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Fay: Senate Bill No. 176—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine of the Civil Code of the State of California, and to enact two new sections of said Civil Code, numbered, respectively, one thousand one hundred and eighty-six and one thousand one hundred and ninety-one, relating to the acknowledgment of conveyances by married women.

Referred to Committee on Judiciary.

By Senator Ragsdale: Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 178—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 179—An Act to provide furniture for furnishing the California Home for the Care and Training of Feeble-Minded

Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Referred to Committee on Finance.

By Senator Ford: Senate Bill No. 180—An Act to appropriate money to pay the claim of Mrs. Catherine Boyle, administratrix of the estate of James H. Boyle, deceased, to reimburse her for money paid for school land for which the State can give no title.

Referred to Committee on Claims.

By Senator Carpenter: Senate Bill No. 181—An Act to provide for the organization, incorporation, and government of towns.

Referred to Committee on City, City and County, and Town Governments.

By Senator Dunn: Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employes by the Board of Health of the City and County of San Francisco.

Referred to Committee on Hospitals.

By Senator Maher: Senate Bill No. 183—An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose."

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 184—An Act to amend an Act entitled "An Act to amend sections ten and one hundred and thirty-four of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to legal holidays and non-judicial days," approved March 1, 1889.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 185—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding one new section thereto, to be known as Section 6a, providing for qualifications to vote for assignee; to amend section fifteen of said Act, providing for election of assignee; and to amend section fifty-five of said Act, touching fraudulent preferences and transfers.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 187—An Act empowering Boards of Supervisors to appoint experts, and fixing their compensation.

Referred to Committee on City, City and County, and Town Governments.

Also (by request): Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Referred to Committee on Claims.

By Senator Harp (by request): Senate Bill No. 189—An Act to

create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Referred to Committee on Counties and County Boundaries.

Also (by request): Senate Bill No. 190—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Referred to Committee on Counties and County Boundaries.

By Senator Burke (by request): Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 192—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the powers and duties of Boards of Supervisors.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Referred to Committee on Elections.

Also: Senate Bill No. 194—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Referred to Committee on Elections.

Also: Senate Bill No. 195—An Act to enfranchise the women citizens of this State, and to prescribe their qualifications as electors.

Referred to Committee on Elections.

By Senator Berry: Senate Bill No. 196—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 197—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Referred to Committee on Judiciary.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Gesford: Senate Constitutional Amendment No. 8—Proposing to the people of the State of California an amendment to the Constitution, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, and adding to article four of said Constitution a new section, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Referred to Committee on Constitutional Amendments.

SENATE JOINT RESOLUTION.

By Senator Arms: Senate Joint Resolution No. 11—Relative to the increase and equalization of the pay of letter carriers.

Referred to Committee on Federal Relations.

NOTICE OF MOTION TO AMEND THE RULES.

Senator Seawell gave notice that he would, on Thursday, move an amendment to the Standing Rules of the Senate, as follows:

Notice is hereby given that on Thursday, January 12, 1893, at two o'clock p. m., I will offer a resolution changing Rule 1, so as to fix the hour of meeting at the morning session at eleven o'clock a. m. until January 23, 1893, and to meet thereafter during the session at ten o'clock a. m.

RESOLUTION.

By Senator Broderick:

Resolved, That the Pages of the Senate be and are hereby allowed the use of Committee Room No. 55 for the purpose of holding meetings.

Adopted.

RESIGNATION.

Senator Voorhies presented the following communication:

SACRAMENTO, January 11, 1893.

To the President of the Senate of California:

I hereby tender my resignation as Porter of the Senate Chamber.

RICHARD REDMOND.

On motion of Senator Voorhies, the resignation was accepted.

RESOLUTION.

By Senator Voorhies:

Resolved, That C. W. Freeman be and is hereby appointed Porter of the Senate Chamber, vice Richard Redmond, resigned, at a per diem of four dollars, the same to be paid out of the contingent expenses of the Senate.

MOTION.

Senator Voorhies moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Carpenter, Denison, Earl, Everett, Flint, Ford, Gessford, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Orr, Ragsdale, Shippee, Simpson, Streeter, Voorhies, and Whitehurst—22.

NOES—Messrs. Berry, Burke, Campbell, Fay, Harp, McAllister, Mitchell, Ostrom, Seawell, and Wilson—10.

RESOLUTIONS.

By Senator Mathews:

Resolved, That the Chairman of all committees meet and select hours of committee meetings.

Adopted.

By Senator Broderick:

Resolved, That E. C. Conroy be and he is hereby appointed the Clerk of the San Francisco delegation, the same to consist of the members from the City and County of San Francisco, at a per diem of five dollars, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Senator Broderick moved the adoption of the resolution.

Senator Ostrom moved to amend by referring same to the Committee on Attachés, Contingent Expenses, and Mileage.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Carpenter, Fay, Gesford, Harp, McAllister, Martin, Ostrom, and Wilson—11.

NOES—Messrs. Arms, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Flint, Ford, Hoyt, Maher, Mahoney, Mathews, Mitchell, Orr, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Williams—22.

The question recurring on the adoption of the resolution, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mitchell, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, and Williams—29.

NOES—Messrs. Carpenter, Orr, and Ostrom—3.

ADJOURNMENT.

At ten o'clock and forty-five minutes A. M., on motion of Senator Carpenter, the Senate adjourned until to-morrow at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER,)
Thursday, January 12, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Burke.

LEAVE OF ABSENCE.

Senator Seymour was granted a leave of absence for one day, on motion of Senator Everett.

MOTION.

On motion of Senator Ostrom, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the 11th day of January, passed Assembly Concurrent Resolution No. 2, relative to an investigation of the Home for the Adult Blind.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

ASSEMBLY CONCURRENT RESOLUTION No. 2.

WHEREAS, The Governor of this State, in his first Biennial Message presented to the Legislature of the State of California, has recommended that the Legislature investigate the Home for Adult Blind, situated in Alameda County, and make such order in the premises as the Legislature in its wisdom finds to be required; therefore, be it

Resolved, the Senate and the Assembly concurring. That a committee of six, three to be appointed by the Speaker of the Assembly, and three to be appointed by the President of the Senate, be appointed to investigate the Home of Adult Blind, and report to this Legislature.

MOTIONS.

Senator Earl moved that the Senate concur in Assembly Concurrent Resolution No. 2.

The roll was called, and the resolution concurred in by the following vote:

AYES—Messrs. ARMS, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—36.

NOES—None.

Senator Earl moved that Assembly Concurrent Resolution No. 2 be immediately transmitted to the Assembly.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the 10th day of January, concurred in Senate Joint Resolution No. 3, relative to defining "options" and "futures."

G. W. PECKHAM, Chief Clerk.
By J. T. RYAN, Assistant.

Read and ordered enrolled.

REPORT OF STANDING COMMITTEE.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 12, 1893.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolutions Nos. 1 and 2—relative to Nicaragua Maritime Canal—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WILLIAMS, Chairman.

Ordered on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Goucher: Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the

county seat, and to provide for its organization and election of officers, and to classify said county.

Referred to Committee on Counties and County Boundaries.

By Senator Langford: Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant, for every acre represented by any such land warrant.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 203—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Referred to Committee on Hospitals.

Also: Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for the support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Referred to Committee on Finance.

By Senator Simpson: Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Referred to Committee on Hospitals.

By Senator Denison: Senate Bill No. 208—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Referred to Committee on Corporations.

By Senator Ford (by request): Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Referred to Committee on Judiciary.

Also: Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Campbell: Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Referred to Committee on Public Printing.

By Senator Flint: Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District Number Five; and abolishing the Leprosy Fund and Interest and Sinking Fund, Levee District Number Five.

Referred to Committee on Finance.

Also: Senate Bill No. 213—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Referred to Committee on Finance.

By Senator Maher: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 215—An Act to amend an Act entitled "An Act to amend section seven of the Civil Code," relating to holidays, approved March 1, 1889.

Referred to Committee on Judiciary.

Also: Senate Bill No. 216—An Act to amend section three hundred and eighty-five of the Code of Civil Procedure of the State of California, relating to bringing and continuance of actions and proceedings upon the death or disability of a party or person interested in certain causes of action.

Referred to Committee on Judiciary.

Also: Senate Bill No. 217—An Act to amend an Act entitled "An Act to amend section ten of the Political Code," relating to legal holidays, approved March 1, 1889.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Referred to Committee on Hospitals.

Also: Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphans' asylum in this State.

Referred to Committee on Hospitals.

By Senator Whitehurst: Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Referred to Committee on City, City and County, and Town Governments.

By Senator Gesford: Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Referred to Committee on Claims.

By Senator Shippee: Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Referred to Committee on Finance.

Also: Senate Bill No. 223—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Referred to Committee on Finance.

Also: Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Referred to Committee on Finance.

By Senator Mahoney: Senate Bill No. 225—An Act to amend sections four hundred and ninety-eight and five hundred and two of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872.

Referred to Committee on City, City and County, and Town Governments.

By Senator Williams: Senate Bill No. 226—An Act for the relief of George Dougherty.

Referred to Committee on Claims.

By Senator Seawell: Senate Bill No. 227—An Act entitled an Act to pay the claim of Sands W. Forman for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Referred to Committee on Claims.

By Senator Hoyt (by request): Senate Bill No. 228—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Referred to Committee on Banks and Banking.

Also: Senate Bill No. 230—An Act to reinstate and reenact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Referred to Committee on Public and Swamp and Overflowed Lands.

RESOLUTIONS.

By Senator McGowan:

Resolved, That the following resolution, approved by the Senate on the tenth day of January, 1893, viz.:

Resolved, That the Chairman of the Judiciary Committee is hereby authorized and empowered to appoint a sergeant-at-arms for said Judiciary Committee at a per diem of six dollars, and a Messenger, at a per diem of five dollars, same to be paid out of the Contingent Fund of the Senate.

Be and the same is hereby amended so as to read as follows:

Resolved, That the Chairman of the Judiciary Committee is hereby authorized and empowered to appoint an Assistant Sergeant-at-Arms, to be assigned to the Judiciary Committee at a per diem of six dollars, and a Messenger, at a per diem of five dollars, same to be paid out of the Contingent Fund of the Senate, said former resolution to so stand amended as of date of January 10, 1893.

Senator McGowan moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—30.

NOES—None.

By Senator Hart:

Resolved, That Jerry Todd be and he is hereby appointed Porter of the Senate Judiciary Committee room, at a per diem of five dollars, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SENATE JOINT RESOLUTION.

By Senator Ostrom: Senate Joint Resolution No. 12—Relating to calling an irrigation congress, to consist of twenty delegates from each State and Territory west of the Missouri River.

Referred to Committee on Irrigation and Water Rights.

RECESS.

At ten o'clock and thirty-five minutes A. M., on motion of Senator Broderick, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

SPECIAL ORDER—AMENDMENT TO THE STANDING RULES OF THE SENATE.

Senator Seawell moved an amendment to the Standing Rules of the Senate, as per notice given yesterday, as follows:

Resolved, That Rule 1 of the Standing Rules of the Senate be amended so as to read as follows:

The time of meeting of the Senate, commencing Friday, January 13, 1893, shall be eleven o'clock A. M. until January 23, 1893 (Sundays excepted), and in case any other is named,

it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting, and a recess shall be taken from twelve o'clock m. to two o'clock p. m.; *provided*, that on Mondays the time of meeting shall be two o'clock p. m. After January 23, 1893, the time of meeting of the Senate shall be 10 o'clock a. m., and a recess shall be taken from twelve o'clock m. to one o'clock and thirty minutes p. m.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson—30.

NOES—Messrs. Carpenter, Earl, Goucher, Mathews, and Seymour—5.

RESOLUTION.

By Senator Berry:

Resolved by the Senate, the Assembly concurring, That the Senate and Assembly will meet in Joint Convention on Friday, January 13, 1893, at twelve o'clock m., in the Assembly Chamber, for the purpose of electing five Trustees of the California State Library for the term commencing February 28, 1894, as provided for in section two thousand two hundred and ninety-two of the Political Code of California.

MOTION.

Senator Carpenter moved that the resolution be amended by changing the time of meeting of the Joint Convention from Friday, January 13, 1893, to Wednesday, January 18, 1893.

Ayes and noes were demanded on the adoption of the amendment by Senators Berry, Mitchell, and Whitehurst.

The roll was called, and the amendment adopted by the following vote:

AYES Messrs. Bailey, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Hoyt, McGowan, Maher, Mahoney, Mitchell, Orr, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—21.

NOES Messrs. Berry, Biggy, Burke, Fay, Gesford, Goucher, Harp, Hart, Langford, McAllister, Mathews, Ostrom, Seawell, Whitehurst, and Wilson—15.

The resolution as amended was then adopted.

RESOLUTIONS.

By Senator Voorhies:

Resolved, That Room 55 be used exclusively by the Journal Clerks of the Senate.

Adopted.

By Senator Campbell:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay the same, payable out of the contingent expenses of the Senate, in favor of the Secretary of Senate, for the sum of fifty dollars, for rubber stamps and stencils to be used by the clerks at the desk.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Langford, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the 12th day of January, passed Assembly Concurrent Resolution No. 4, relative to fixing time for meeting of Senate and Assembly for the purpose of electing State Library Trustees.

MYRON YAGER, Assistant Clerk.

ASSEMBLY CONCURRENT RESOLUTION No. 4.

Resolved by the Assembly, the Senate concurring. That the Senate and Assembly will meet in Joint Convention on Friday, January 13, 1893, at twelve o'clock m., in the Assembly Chamber, for the purpose of electing five Trustees of the State Library for the term commencing February 28, 1894, as provided for in section two thousand two hundred and ninety-two of the Political Code of California.

Senator Carpenter moved to amend by striking out "Friday, January 13, 1893," and inserting in lieu thereof the words "Wednesday, January 18, 1893."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Hoyt, McGowan, Maher, Mahoney, Mitchell, Orr, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—22.

NOES—Messrs. Arms, Berry, Biggy, Burke, Fay, Gesford, Goncher, Harp, Langford, McAllister, Martin, Mathews, Ostrom, Seawell, Whitehurst, and Wilson—16.

MOTION.

Senator Ostrom moved to take up out of order Senate Joint Resolutions Nos. 1 and 2.

So ordered.

Senator Carpenter moved that Senate Joint Resolutions Nos. 1 and 2 be recommitted to the Committee on Federal Relations, with instructions to report back to the Senate one or the other, or a bill embodying the good features of both.

So ordered.

LEAVE OF ABSENCE.

Senator Maher asked leave of absence for Senator Everett for the balance of the day.

Granted.

Senator Burke asked leave of absence for Senator Orr for the balance of the day.

Granted.

SPECIAL COMMITTEE.

The President appointed Senators Seawell, Mahoney, and Hoyt as a joint committee, to meet with a like committee from the Assembly, in conformity with Assembly Concurrent Resolution No. 2, relating to investigation of Home for Adult Blind.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Campbell: Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt.

Referred to Committee on Claims.

Also: Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese Persons in the State of California."

Referred to Committee on Claims.

Also: Senate Bill No. 233—An Act to provide for the payment for advertising the constitutional amendments.

Referred to Committee on Claims.

By Senator Gesford: Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for use of affiliated and other departments of the University of California.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Bailey: Senate Bill No. 235—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Referred to Committee on Finance.

Also: Senate Bill No. 236—An Act appropriating the sum of three thousand dollars for furnishing the Training Department building of the State Normal School at San José, California.

Referred to Committee on Finance.

Also: Senate Bill No. 237—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Referred to Committee on Finance.

By Senator Shippee: Senate Bill No. 238—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlement with the Controller, and payment into the State Treasury.

Referred to Committee on Judiciary.

By Senator Campbell: Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act.

Referred to Committee on Claims.

By Senator Shippee: Senate Bill No. 240—An Act to appropriate money for the care of grounds of the State Normal School at Chico.

Referred to Committee on Finance.

Also: Senate Bill No. 241—An Act to appropriate money for improvement of grounds at the State Normal School at Chico.

Referred to Committee on Finance.

Also: Senate Bill No. 242—An Act to appropriate money for the support of the Library and Museum of the State Normal School at Chico.

Referred to Committee on Finance.

Also: Senate Bill No. 243—An Act to appropriate money for the support of the State Normal School at Chico.

Referred to Committee on Finance.

Also: Senate Bill No. 244—An Act to appropriate money for the purchase of scientific apparatus for the State Normal School at Chico.

Referred to Committee on Finance.

By Senator Voorhies: Senate Bill No. 245—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County Government and Township Organization.

By Senator Wilson (by request): Senate Bill No. 246—An Act entitled an Act to appropriate money to pay the claim of W. D. Crow for advertising of the San Francisco Depot Act.

Referred to Committee on Claims.

By Senator Earl (by request): Senate Bill No. 247—An Act to amend

certain sections of the Political Code, relating to the State Board of Health.

Referred to Committee on Judiciary.

Also: Senate Bill No. 248—An Act to amend section seven hundred and ninety-two of the Political Code of the State of California, relating to Notaries Public.

Referred to Committee on Judiciary.

By Senator Streeter: Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers in the harbor of San Diego.

Referred to Committee on Commerce and Navigation.

By Senator Maher: Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Referred to Committee on Claims.

By Senator Broderick (by request): Senate Bill No. 251—An Act for the relief of Barnaby Dougherty.

Referred to Committee on Claims.

By Senator Voorhies: Senate Bill No. 252—An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 253—An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year.

Referred to Committee on Finance.

By Senator Seymour: Senate Bill No. 254—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 255—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 256—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property and delinquent taxes.

Referred to Committee on Judiciary.

Also: Senate Bill No. 257—An Act to amend section three thousand seven hundred and sixty-two of the Political Code, relating to the duties of County Auditors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 258—An Act to amend section three thousand seven hundred and seventy of the Political Code, relating to the duties of Tax Collectors.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 259—An Act regulating the quality of gas manufactured and sold by any corporation or person,

and fixing a forfeiture for failure to comply with the provisions of this Act.

Referred to Committee on Corporations.

By Senator Simpson: Senate Bill No. 260—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard, for the remainder of the forty-fourth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 261—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Referred to Committee on Military Affairs.

By Senator Whitehurst: Senate Bill No. 262—An Act to amend section one hundred and ninety-four of the Code of Civil Procedure of the State of California, relating to jurors.

Referred to Committee on Judiciary.

By Senator Goucher: Senate Bill No. 263—An Act to amend sections two thousand four hundred and thirty-six, two thousand four hundred and forty, and two thousand four hundred and forty-three of article five of the Political Code, relating to pilots and Pilot Commissioners, and two thousand four hundred and fifty-seven, two thousand four hundred and sixty, two thousand four hundred and sixty-two, two thousand four hundred and sixty-five, two thousand four hundred and sixty-six, and two thousand four hundred and sixty-seven of article six of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia.

Referred to Committee on Commerce and Navigation.

By Senator Carpenter: Senate Bill No. 264—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Referred to Committee on Judiciary.

By Senator Goucher: Senate Bill No. 265—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Referred to Committee on Claims.

Also: Senate Bill No. 266—An Act to provide for the payment of the sum of two thousand five hundred dollars to Wm. H. Thornley, salary due him.

Referred to Committee on Claims.

ADJOURNMENT.

At two o'clock and forty-six minutes P. M., on motion of Senator Broderick, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,

Friday, January 13, 1893. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. J. B. Reidick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs Ames, Baker, Barry, Barry, Broderick, Burke, Campbell, Carpenter, Denison, Dyer, Earl, Johnson, Fox, Flint, Ford, Gresham, Gresham, Harp, Hart, Hoyt, Langford, McAllister, McArthur, Milner, Mahoney, Martin, Matthews, McLeod, Orr, Parsons, Rant-
hous, Sawyer, Seymour, Shippen, Simpson, Streeter, Tamm, Waters, Whitcomb, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Broderick.

CORRECTION OF JOURNAL.

Senator Streeter asked that the Journal of yesterday be corrected on page nine, as follows: That Senate Bill No. 249 be referred to Committee on Commerce and Navigation instead of Committee on Finance.

So ordered.

Senator Gresham asked that the Journal of yesterday be corrected on page eleven, as follows: That Senate Bills Nos. 265 and 266 introduced by himself be request, be changed by striking out the words "by request."

So ordered.

Senator Simpson asked that the Journal of yesterday be corrected on page ten, as follows: That Senate Bill No. 260 be referred to Committee on Finance instead of Committee on Military Affairs.

So ordered.

APPROVAL OF JOURNALS.

The Journals of Monday, January 9, 1893, Tuesday, January 10, 1893, and Wednesday, January 11, 1893, were then approved.

QUESTION OF PRIVILEGE.

Senator Carpenter arose to a question of privilege and stated that a Sacramento morning paper, whose general course was fair, contained a somewhat sensational article to the effect that he had left the caucus in a passion after heated discussion upon the employment of more attachés. He said that there was no intemperate discussion upon the subject, and though he did not approve of the increase, he did not leave the caucus on that account, as the whole matter had been settled before

he left the room. He was called out on urgent business. He stated that he was not leading the Republicans, and claimed no superiority over any Senator, and never had; also, that this is a Senate of equals, not leaders and followers.

REPORTS OF STANDING COMMITTEES.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 13, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

Senate Bill No. 13 ordered on file.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 13, 1893.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolutions Nos. 1 and 2—have had the same under consideration, and respectfully report the substitute, and recommend that the same do pass.

WILLIAMS, Chairman.

Substitute for Senate Joint Resolutions Nos. 1 and 2 ordered on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorhies: Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Mathews: Senate Bill No. 268—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Referred to Committee on Corporations.

Also: Senate Bill No. 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Referred to Committee on Constitutional Amendments.

By Senator Voorhies: Senate Bill No. 270—An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year.

Referred to Committee on Finance.

By Senator Bailey: Senate Bill No. 271—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Referred to Committee on Counties and County Boundaries.

By Senator Mathews: Senate Bill No. 272—An Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure, relative to the powers and duties of Court Commissioners.

Referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 273—An Act to amend section four thousand one hundred and sixty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds.

Referred to Committee on Banks and Banking.

By Senator Everett: Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Referred to Committee on Military Affairs.

By Senator Ragsdale: Senate Bill No. 275—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Referred to Committee on Judiciary.

By Senator Earl: Senate Bill No. 276—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Referred to Committee on Judiciary.

By Senator Langford: Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Ostrom: Senate Bill No. 278—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Referred to Committee on Judiciary.

By Senator Goucher: Senate Bill No. 279—An Act to amend the Civil Code, by adding to part four, division first, a new title, providing for the consolidation of colleges and institutions of higher education.

Referred to Committee on Education and Public Morals.

RESOLUTIONS.

By Senator Broderick:

Resolved, That the State Controller be and he is hereby requested to draw his warrant on the State Treasury in the sum of twenty-five (\$25) dollars for each Senator, in com-

pliance with article four, section twenty-three of the Constitution, the same to be paid out of the Contingent Fund of the Senate, after deducting the amount of stationery drawn on requisition by each Senator up to date.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Hart, Langford, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorhies, and Whitehurst—23.

NOES—Messrs. Berry, Biggy, Burke, Dunn, Earl, Fay, Goucher, Ostrom, and Wilson—9.

By Senator Campbell:

Resolved, That the Committee on Claims is hereby authorized to appoint an Assistant Clerk, at the same per diem as other Committee Clerks, payable out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Ford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Seymour, Streeter, Whitehurst, and Williams—24.

NOES—Messrs. Berry, Burke, Fay, Gesford, Ostrom, and Wilson—6.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Mathews: Senate Bill No. 280—An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and, as a part of the government thereof, to provide for the regulation of disputes to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration.

Referred to Committee on Labor and Capital.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 13, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant, and the Treasurer is directed to pay the same, payable out of the contingent expenses of the Senate, in favor of the Secretary of Senate, for the sum of fifty dollars, for rubber stamps and stencils to be used by the clerks at the desk.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

Senator Campbell moved the adoption of the resolution.

Senator Ostrom moved to amend by substituting the sum of twenty-five dollars instead of fifty dollars.

Amendment lost.

The question recurring on the adoption of the resolution, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, and Williams—31.

NOES—Messrs. Dunn, Ostrom, and Whitehurst—3.

RESOLUTION.

By Senator Hart:

Resolved, That Jerry Todd be and he is hereby appointed Porter of the Senate Judiciary Committee-room, at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

Senator Hart moved the adoption of the resolution.

The roll was called, with the following result:

AYES—Messrs. Broderick, Denison, Earl, Everett, Hart, Maher, Mahoney, Simpson, Streeter, Voorhies, and Williams—11.

NOES—Messrs. Gesford, Goucher, Harp, McAllister, Ostrom, Seawell, and Whitehurst—7.

RECESS.

At eleven o'clock and twenty minutes A. M., the roll call showing no quorum present, the President declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorhies, Whitehurst, Williams, and Wilson.

Quorum present.

MOTION.

Senator Hoyt moved that the Journal of yesterday be corrected on page five, so that Senate Bill No. 228 be referred to Committee on Judiciary instead of Committee on Education and Public Morals.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier, for the forty-third and forty-fourth fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 282—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Referred to Committee on Corporations.

By Senator McGowan: Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Referred to Committee on State Library and Rules.

Also: Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriage.

Referred to Committee on Judiciary.

Also: Senate Bill No. 285—An Act to amend section one thousand one hundred and seventy of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Referred to Committee on Judiciary.

Also: Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Referred to Committee on Judiciary.

Also: Senate Bill No. 287—An Act to regulate the trial of actions for a divorce.

Referred to Committee on Judiciary.

LEAVE OF ABSENCE.

Senator Mathews asked one day's leave of absence for Senator Seawell. Granted.

SENATE JOINT RESOLUTION.

By Senator Ostrom: Senate Joint Resolution No. 13—Relative to foreign immigration to the United States.

Referred to Committee on Federal Relations and Immigration.

RESOLUTIONS.

By Senator Langford:

Resolved, That the Secretary of Senate be instructed to have two hundred and fifty copies of committee substitute for Senate Joint Resolutions Nos. 1 and 2 printed immediately.

Adopted.

By Senator Campbell:

Resolved, That the Secretary of Senate be and he is hereby authorized to sign all orders for printing, and that the State Printer is hereby authorized to accept such orders, as provided for in section five hundred and twenty-eight of the Political Code.

Adopted.

ADJOURNMENT.

At two o'clock and fourteen minutes P. M., Senator Ragsdale moved to adjourn until to-morrow at eleven o'clock A. M.

Senator Maher moved to amend by adjourning until Monday next at two o'clock P. M.

The question being on the shorter time, the roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Burke, Campbell, Carpenter, Denison, Mathews, Ostrom, Ragsdale, Simpson, Voorheis, and Whitehurst—11.

NOES—Messrs. Arms, Biggy, Broderick, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Seymour, Shippee, Streeter, and Williams—23.

The question then being on the amendment offered by Senator Maher, the same was carried.

Whereupon, at two o'clock and fifteen minutes P. M., the President declared the Senate adjourned until Monday next at two o'clock P. M.

IN SENATE.

SENATE CHAMBER,

Monday, January 16, 1893. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Whitehurst, and Williams.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Ragsdale.

LEAVE OF ABSENCE.

Senator Broderick was granted a leave of absence for one day, on motion of Senator Maher.

Senator Voorheis was granted a leave of absence for one day, on motion of Senator Denison.

Senator Shippee was granted a leave of absence for one day, on motion of Senator Gesford.

Senator Seawell was granted a leave of absence for one day, on motion of Senator Berry.

APPROVAL OF JOURNALS.

The Journal of Thursday, January 12, 1893, as corrected, and the Journal of Friday, January 13, 1893, were then approved.

GENERAL FILE.

Consideration of Committee Substitute for Senate Joint Resolutions Nos. 1 and 2—Relative to the construction of the Nicaragua Canal:

WHEREAS, The construction of the Nicaragua Canal would be of great and infinite value to the people of the Pacific Coast, and especially to the people of the State of California, as it would afford greater protection to this coast in time of war, open new lines of trade and commerce in time of peace, tend to cheapen transportation to foreign and Atlantic seaboard markets, build up new enterprises everywhere within our State, and largely tend to maintain old ones, greatly increase our population, and thus enhance our wealth and multiply our resources; and whereas, there is now pending in the Congress of the United States a bill providing for the use of the credit of the United States in the construction of the Nicaragua Canal, and which bill prescribes, among other things, that the United States shall own absolutely more than eighty per cent of all of the stock of the Nicaragua Maritime Canal Company, previously organized under an Act of Congress of the United States, and that the President of the United States shall appoint not less than ten of the fifteen Directors of said company, and that the United

States engineers shall direct or control the work of construction of said canal, and after it is constructed, that the United States, by reason of its ownership thereof, shall fix the tolls thereon; now therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That our Senators in Congress be instructed and our members of the House of Representatives of the United States be requested to earnestly support the passage of this measure.

Resolved, That his Excellency the Governor is hereby requested to forward to each of our Senators and Representatives in Congress a copy of these resolutions.

Substitute for Senate Joint Resolutions Nos. 1 and 2 read by the Secretary.

MOTION.

Senator Ostrom moved to amend by substituting Senate Joint Resolution No. 2 for the above resolution.

POINT OF ORDER.

Senator McGowan raised a point of order as follows: That a Senator cannot move the adoption of a substitute after making a speech.

The President declared the point of order well taken.

AMENDMENTS.

Senator Carpenter moved to amend the resolution by striking out of section one, line one, the word "Assembly," and inserting the word "Senate" in lieu thereof; also, by striking out of line one the word "Senate," and inserting in lieu thereof the word "Assembly."

Adopted.

Senator Ostrom moved to amend the resolution as follows: That all after the preamble be stricken out, and the following be inserted in lieu thereof:

Resolved by the Senate of the State of California, the Assembly concurring, That we would respectfully represent to the President and Congress that the construction of Nicaragua Canal is an immediate and pressing necessity to the entire Pacific Slope, and to the country at large; and we would further represent that the construction of said Nicaragua Canal, ownership, equipage, and control should be wholly within the Government of the United States, believing such to be necessary to best subserve the interests of the whole people.

Resolved, That upon the adoption of the foregoing preamble and resolutions, it shall be the immediate duty of the Governor to forward copies of the same to each of our Representatives in Congress, and to the presiding officer of each house of Congress, and to the President at Washington.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

The question being on the adoption of the amendment offered by Senator Ostrom, the roll was called, and the amendment lost by the following vote:

AYES—Messrs. Arms, Biggy, Dunn, Fay, and Ostrom—5.

NOES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, and Williams—29.

The question recurring on the adoption of the committee substitute for Senate Joint Resolutions Nos. 1 and 2, as amended, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Voorheis, Whitehurst, and Williams—34.

NOES—Mr. Ostrom—1.

FIRST READING OF BILL.

Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Bill read first time and placed on file for second reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Streeter: Senate Bill No. 288—An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of the State.

Referred to Committee on Claims.

By Senator Mathews: Senate Bill No. 289—An Act to amend section one hundred and seventy-two of the Civil Code, relating to community property.

Referred to Committee on Judiciary.

Also: Senate Bill No. 290—An Act to amend an Act approved March 20, 1891, entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith," to fix the eligibility of Directors for said association.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Mahoney: Senate Bill No. 291—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 292—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 293—An Act to create the county of Kings, to define the boundaries thereof, and to provide for its organization and election of officers, and to classify said county.

Referred to Committee on Counties and County Boundaries.

By Senator McGowan: Senate Bill No. 294—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Referred to Committee on Corporations.

Also: Senate Bill No. 295—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Referred to Committee on Claims.

By Senator Maher: Senate Bill No. 296—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Referred to Committee on Claims.

By Senator Whitehurst: Senate Bill No. 297—An Act making an appropriation to pay the claim of Santa Clara County against the State of California for Tax Collectors' commissions on taxes collected and paid to the State.

Referred to Committee on Finance.

By Senator Simpson: Senate Bill No. 298—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Senator Seymour: Senate Bill No. 299—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on County Government and Township Organization.

By Senator Flint: Senate Bill No. 300—An Act to amend section three thousand seven hundred and thirty-one of the Political Code, relating to the duties of Auditors.

Referred to Committee on Judiciary.

Also: Senate Bill No. 301—An Act to amend section three thousand eight hundred and five of the Political Code, relating to duplicate assessments.

Referred to Committee on Judiciary.

By Senator Everett: Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 303—An Act to authorize the Assessors of counties, and cities and counties, having over two hundred and fifty thousand inhabitants, to appoint deputies, and to fix their salaries and compensation.

Referred to Committee on Judiciary.

Also: Senate Bill No. 304—An Act making an appropriation for the erection of buildings and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom.

Referred to Committee on Finance.

By Senator Williams: Senate Bill No. 305—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

By Senator Campbell: Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Referred to Committee on Hospitals.

By Senator Hart: Senate Bill No. 307—An Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending subdivision thirteen of section one hundred and sixty-seven, relating to the fees of Justices of the Peace in counties of the fifth class.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 308—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending subdivision fourteen of section one hundred and sixty-seven of said Act, relating to the fees of Constables in counties of the fifth class.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 310—An Act to provide for the payment of the members and attachés of the Constitutional Convention.

Referred to Committee on Claims.

By Senator Langford: Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Referred to Committee on Finance.

SENATE CONCURRENT RESOLUTION.

By Senator Maher: Senate Concurrent Resolution No. 3:

WHEREAS, The Governor of the State, in his first biennial message presented to the Legislature of the State of California, has recommended that the Legislature investigate the Home for the Care and Training of Feeble-Minded Children, located at Glen Ellen, in Sonoma County, of this State, as fraud has been charged in connection with the construction of some of the new buildings; therefore, be it

Resolved, the Senate and Assembly concurring. That a committee of six, three to be appointed from each house, investigate said charges, and that the committee be appointed as follows: The Chairman of the Committees of Public Buildings other than Prison Buildings, of each house, be appointed on said committee, and that the Chairman of said committee appoint two members each from their respective committees, and that the committee thus constituted is hereby empowered, authorized, and instructed to send for such persons and papers as such committee, in their discretion, may deem necessary to conduct a thorough investigation into said charges; and that the Chairman of the committee is hereby empowered to employ the services of a stenographer to take down and transcribe the testimony taken before the committee, should, in his judgment, one be required.

Senator Maher moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Campbell, Denison, Dunn, Everett, Fay, Ford, Gesford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—26.

NOES—Messrs. Berry, Burke, Carpenter, Earl, Harp, Hoyt, and Ostrom—7.

MOTION.

Senator Maher moved that Senate Concurrent Resolution No. 3 be immediately transmitted to the Assembly.

So ordered.

SENATE CONSTITUTIONAL AMENDMENTS.

By Senator Seymour: Senate Constitutional Amendment No. 9—Proposed amendment to article thirteen of the Constitution, relative to taxable property.

Referred to Committee on Constitutional Amendments.

By Senator Maher: Senate Constitutional Amendment No. 10—To propose an amendment to section one, article thirteen, of the Constitution, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 13, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Joint Resolution has been correctly enrolled: Senate Joint Resolution No. 3—Relative to defining "options" and "futures."

RAGSDALE, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth day of January, concurred in Senate amendment to Assembly Concurrent Resolution No. 4—Relative to fixing the time for meeting of Senate and Assembly for the purpose of electing Trustees of the State Library.

GEO. W. PECKHAM, Chief Clerk.
By MYRON YAGER, Assistant Clerk.

RESOLUTIONS.

By Senator Maher:

Resolved, That C. Clark be and he is hereby appointed File Clerk, at a compensation of five dollars per diem, payable out of the Contingent Fund of the Senate.

The roll was called, and the resolution declared adopted by the following vote:

AYES—MESSRS. ARMS, Bailey, Campbell, Denison, Dunn, Earl, Everett, Ford, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Seymour, Simpson, Streeter, Voorheis, and Williams—20.

NOES—MESSRS. Burke, Carpenter, Gesford, Harp, McAllister, Mathews, Ostrom, Ragsdale, and Whitehurst—9.

By Senator Hart:

Resolved, That Jerry Todd is hereby appointed Porter of the Judiciary Committee Room of the Senate, at a per diem of four dollars, the same to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution declared adopted by the following vote:

AYES—MESSRS. ARMS, Bailey, Campbell, Denison, Earl, Everett, Hart, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Seymour, Simpson, Streeter, Voorheis, and Williams—19.

NOES—MESSRS. Berry, Burke, Carpenter, Fay, Gesford, Harp, McAllister, Ragsdale, and Whitehurst—9.

POINT OF ORDER.

Senator Ostrom raised the point of order that the Constitution provides that no appropriation can be made without a majority of the members elected vote therefor, and that this resolution is in the nature of an appropriation.

The President pro tem. reserved his ruling on the point of order until to-morrow morning.

RESOLUTION.

By Senator Everett:

Resolved, That C. H. Allen be and he is hereby appointed Assistant History Clerk, at the same per diem as the History Clerk, the same to be paid out of the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES— Messrs. Arms, Bailey, Campbell, Denison, Earl, Everett, Ford, Hart, Hoyt, Langford, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams—21.

NOES— Messrs. Berry, Biggy, Carpenter, Dunn, Fay, Gesford, Harp, McAllister, and Orr—9.

ADJOURNMENT.

At three o'clock and thirty-five minutes p. m., on motion of Senator Streeter, the Senate adjourned until to-morrow at eleven o'clock a. m.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 17, 1893. }

The Senate met pursuant to adjournment, at eleven o'clock a. m.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messes. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Broderick.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

RULING ON POINT OF ORDER.

The President pro tem. having reserved his decision on the point of order raised by Senator Ostrom on yesterday requiring a majority of the members elected to adopt a resolution appointing attachés, claiming such appointment as being in the nature of an appropriation, declared the point of order not well taken, and the resolution regularly adopted.

Hon. J. B. Reddick, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 11—Relative to increase and equalization of the pay of letter carriers—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

WILLIAMS, Chairman.

Senate Joint Resolution No. 11 ordered on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 312—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the general permanent powers of Boards of Supervisors.

Referred to Committee on County Government and Township Organization.

By Senator Ragsdale: Senate Bill No. 313—An Act to provide a depository for the county funds.

Referred to Committee on Finance.

By Senator Hart: Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employes for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 315—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 316—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 317—An Act to prevent evil disposed persons from coming upon the State Prison grounds.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Shippee: Senate Bill No. 318—An Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and providing for the dissolution and disorganization of irrigation districts organized under said Act.

Referred to Committee on Irrigation and Water Rights.

By Senator Whitehurst: Senate Bill No. 319—An Act appropriating the sum of one hundred and seventy-five thousand dollars for the erection of additional buildings at Agnews for the use of the insane, to appropriate funds therefor, and to provide for the expenditure of the same.

Referred to Committee on Finance.

Also: Senate Bill No. 320—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Referred to Committee on Finance.

By Senator Seymour: Senate Bill No. 321—An Act to attach a part of the territory comprising the county of San Diego to the county of San Bernardino.

Referred to Committee on Counties and County Boundaries.

Also: Senate Bill No. 322—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Referred to Committee on Counties and County Boundaries.

By Senator Langford: Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband.

Referred to Committee on Judiciary.

By Senator Earl: Senate Bill No. 324—An Act to amend sections seven hundred and ninety-two and eight hundred and one of the Political Code of the State of California, relating to the qualifications and liabilities of Notaries Public.

Referred to Committee on Judiciary.

Also: Senate Bill No. 325—An Act to add a new section, to be known as section eight hundred and two of the Political Code, in regard to powers and duties of Notaries Public.

Referred to Committee on Judiciary.

Also: Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General, in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek, and its bays and estuaries, and the Alameda waterfront.

Referred to Committee on Judiciary.

Also: Senate Bill No. 327—An Act to appropriate money to pay the interest on state bonds belonging to the University of California until the State may elect to pay the principal of said bonds.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 328—An Act to amend section three thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.

Referred to Committee on Education and Public Morals.

By Senator Carpenter: Senate Bill No. 329—An Act to amend sections two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 330—An Act in relation to proceedings of Courts of justice in civil cases, being an Act to amend sections two hundred and sixty-nine, six hundred and thirty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, six hundred and forty-nine, six hundred and fifty, six hundred and fifty-one, six hundred and fifty-two, six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, six hundred and sixty-one, six hundred and seventy, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, and nine hundred and sixty-two of the Code of Civil Procedure of the State of California, and to repeal sections six hundred and thirty-three, six hundred and thirty-four, and six hundred and fifty-six of said Code of Civil Procedure, and to add four new sections to said Code of Civil Procedure, to be numbered, known, and designated, respectively, as Sections 951a, 953a, 962a, and 962b.

Referred to Committee on Judiciary.

By Senator Ragsdale: Senate Bill No. 331—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Referred to Committee on Finance.

By Senator Burke: Senate Bill No. 332—An Act to authorize the acquisition by donation of a site for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor.

Referred to Committee on Military Affairs.

By Senator Hart: Senate Bill No. 333—An Act to amend section three hundred and twenty-one of the Penal Code of California, relating to lotteries and lottery tickets.

Referred to Committee on Judiciary.

GENERAL FILE—SECOND READING OF BILLS.

Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

NOTICE OF AMENDMENT.

During the reading of the bill, Senator Martin gave notice that he would on to-morrow offer an amendment to section five of the bill.
Bill read second time.

MOTIONS.

Senator McGowan moved that the enacting clause be stricken out.

Senator Mathews moved as a substitute that the whole subject-matter be made the special order for Thursday, January 19, 1893, at two o'clock P. M.

So ordered.

Senator Arms moved that Senate Joint Resolution No. 11 be made the special order for to-day, immediately after recess.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Senator Carpenter:

Resolved, That the Superintendent of State Printing be and he is hereby instructed and requested to furnish each member of the Senate with a sewed copy of the Senate and Assembly Journals every Monday morning, said sewed copy to consist of each day's Journal of both houses for the week preceding such furnishing.

Adopted.

By Senator Broderick:

Resolved, That Miss Maggie Harrison be and hereby is appointed Second Assistant Engrossing Clerk of the Senate, at the same per diem as the Engrossing Clerk, the same to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Earl, Everett, Ford, Hart, Hoyt, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—25.

NOES—Messrs. Burke, Carpenter, Dunn, Fay, Harp, McAllister, Mathews, and Whitehurst—8.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FORESTRY, YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, January 16, 1893.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 61—An Act to prevent persons from entering upon the inclosed lands of another for the purpose of shooting, or hunting, or fishing, or discharging firearms thereon—have had the same under consideration, and respectfully report the same back, without recommendation.

Also: Senate Bill No. 37—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties in the State."

Also: Senate Bill No. 28—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FLINT, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Also: Senate Bill No. 200—An Act providing for presentation and cancellation of unlocated school land warrants of State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HOYT, Chairman.

BALLOTING FOR UNITED STATES SENATOR.

At twelve o'clock meridian, Senator Voorheis offered the following resolution:

Resolved, That the Senate do now proceed to name, by viva voce vote, a person for Senator in Congress from the State of California, for the term of six years, beginning March 4, 1893, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

Adopted.

At twelve o'clock and two minutes p. m., Senator Voorheis moved that the hour of recess be extended until the matter under discussion be dispensed with.

So ordered.

CALL OF THE SENATE.

At twelve o'clock and four minutes p. m., Senator Gesford moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

MESSRS. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors, and bring the absent Senators without leave before the Senate.

On motion of Senator Gesford, further proceedings under the call of the Senate were dispensed with.

The Secretary of the Senate, by direction of the President, then read the following Act of Congress:

Title two, chapter one, United States Revised Statutes. An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who received a majority of the whole number of votes cast in each house shall be entered on the Journal of that house by the Clerk or Secretary thereof, or if either of them fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock m. of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly, and the Journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But

if the same person has not received a majority of the votes of each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives the majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock M. of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State, a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the Secretary of State of the State.

NOMINATIONS FOR UNITED STATES SENATOR.

The President of the Senate announced that nominations were now in order for a United States Senator for the term of six years from March 4, 1893.

Senator Seawell nominated the Hon. Stephen M. White.

Senator Mathews seconded the nomination.

Senator Simpson nominated the Hon. George C. Perkins.

Senator Earl seconded the nomination.

Senator McGowan nominated the Hon. Charles N. Felton.

Senator Ford seconded the nomination.

Senator Orr nominated the Hon. Thomas R. Bard.

Senator Bailey nominated the Hon. R. M. Widney.

MOTION.

Senator Goucher moved that the Senate proceed to call the roll for election of United States Senator.

So ordered.

The President of the Senate declared nominations closed, and in accordance with the requirements of the section of the Act above quoted, the Secretary called the roll of the Senate, and each Senator announced the name of the person for whom he voted, as follows:

For F. C. Franck—Mr. Williams.

For S. M. White—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson.

For Geo. C. Perkins—Messrs. Campbell, Denison, Earl, Hart, Hoyt, and Simpson.

For Chas. N. Felton—Messrs. Everett, Ford, McGowan, Mahoney, Ragsdale, Shippee, and Voorheis.

For Thos. R. Bard—Messrs. Broderick, Flint, Maher, Orr, and Streeter.

For R. M. Widney—Messrs. Bailey, Carpenter, and Seymour.

Whole number of votes cast.....	40
Necessary to a choice.....	21
Hon. Stephen M. White received.....	18
Hon. George C. Perkins received.....	6
Hon. Charles N. Felton received.....	7
Hon. Thomas R. Bard received.....	5
Hon. R. M. Widney received.....	3
Hon. F. C. Franck received.....	1

RESOLUTION.

By Senator Voorheis:

Resolved, That the Secretary of the Senate forthwith inform the Assembly of the vote for United States Senator in this Senate, and that the Senate will meet with the Assembly in the Assembly Chamber to-morrow, Wednesday, January 18, 1893, at twelve o'clock meridian, in joint assembly, for the purpose of electing, or declaring the election, of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

Adopted.

RECESS.

At twelve o'clock and thirty-four minutes P. M., on motion of Senator Broderick, the Senate took a recess until two o'clock and thirty minutes P. M.

REASSEMBLED.

At two o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

SPECIAL ORDER.

The hour for the consideration of Senate Joint Resolution No. 11 having arrived, the Senate proceeded to consider same.

SENATE JOINT RESOLUTION No. 11.

Joint resolution of the Legislature of the State of California relative to the increase and equalization of the pay of letter carriers.

WHEREAS, A bill was introduced in the House of Representatives of the United States, by Representative Amos F. Cummings, on the fifth day of January, eighteen hundred and ninety-two, entitled "A bill to increase and equalize the pay of letter carriers," to the effect following, to wit: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that after June thirtieth, eighteen hundred and ninety-three, the pay of letter carriers in cities where free delivery has been or may be established, for the first year of service shall be six hundred dollars, for the second year of service shall be eight hundred dollars, for the third year of service shall be one thousand dollars, and for the fourth year of service and thereafter, the pay of letter carriers shall be twelve hundred dollars per annum. All Acts or part of Acts inconsistent with this Act are hereby repealed;" and whereas, the principles of this bill are manifestly just and proper, and meet the approval of all people of the United States; therefore, be it

Resolved by the Legislature of the State of California, That it cordially approves of the purpose and language of said bill, and requests the passage of such a bill by the Congress of the United States, as a laudable, just, and worthy measure, productive of a good public policy.

Resolved, That attested copies of this resolution be forwarded to the California delegation in Congress, with the request that such bill receive its vote and earnest support.

The roll was called, and Senate Joint Resolution No. 11 adopted by the following vote:

AYES—MESSRS. ARMS, BAILEY, BERRY, BIGGY, BURKE, CAMPBELL, CARPENTER, DENISON, EARL, EVERETT, FAY, FLINT, FORD, GESFORD, HARP, HART, HOYT, LANGFORD, McALLISTER, MCGOWAN,

Maier, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—37.
 NOES—None.

MOTION.

Senator Arms moved that Senate Joint Resolution No. 11 be immediately transmitted to the Assembly.
 So ordered.

FIRST READING OF BILL.

Senate Concurrent Resolution No. 2—Concurrent resolution approving the charter of the city of Sacramento, in Sacramento County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on May 17, 1892.

Read.

On motion of Senator Hart it was placed at head of file.

MOTION.

Senator Voorheis moved that the Senate take up messages from the Assembly.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixteenth day of January, passed Assembly Bill No. 4—Relating to intimidating, corrupting, deceiving, or defrauding electors.

GEO. W. PECKHAM, Chief Clerk.
 By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 4 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventeenth day of January, passed the following resolution:

Resolved, That the Chief Clerk of the Assembly forthwith inform the Senate of the vote for United States Senator in this Assembly, and that the Assembly will meet with the Senate in the Assembly Chamber to-morrow, Wednesday, January 18, 1893, at twelve o'clock m., in joint assembly, for the purpose of electing, or declaring the election, of a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874.

Pursuant to the above resolution, I hereby certify that the total number of votes cast was eighty, of which—

Stephen M. White received.....	42
Charles N. Felton received.....	6
George C. Perkins received.....	8
Robert M. Widney received.....	4
E. M. Preston received.....	1
Thomas V. Cator received.....	8
D. C. Reed received.....	3
J. H. Neff received.....	1
M. M. Estee received.....	1
Thomas H. Bard received.....	4
F. C. Franck received.....	2

GEO. W. PECKHAM, Chief Clerk.
 By JOHN T. RYAN, Assistant.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ragsdale: Senate Bill No. 334—An Act to provide for the working of certain convicts upon the public roads in this State.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 335—An Act to amend sections numbered nine hundred and fifteen and nine hundred and seventeen of the Penal Code.

Referred to Committee on Judiciary.

By Senator Campbell: Senate Bill No. 336—An Act to establish what shall constitute lawful fences within the State of California.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Carpenter: Senate Bill No. 337—An Act to amend sections one thousand eight hundred and eleven, one thousand eight hundred and twelve, one thousand eight hundred and thirteen, one thousand eight hundred and fourteen, one thousand eight hundred and fifteen, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, and one thousand eight hundred and nineteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Referred to Committee on Judiciary.

By Senator Arms: Senate Bill No. 338—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Referred to Committee on Elections.

By Senator Langford: Senate Bill No. 339—An Act to provide for the payment of the claim of James C. Smith, for money advanced and expended by him for the State of California in the building and construction of the North Street Canal and laying sewer pipe, at and near Stockton, San Joaquin County, California.

Referred to Committee on Claims.

By Senator Mahoney: Senate Bill No. 340—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered four hundred and thirty-two, relating to fire and marine insurance.

Referred to Committee on Corporations.

Also: Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Referred to Committee on Finance.

By Senator Gesford: Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act

to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Referred to Committee on Hospitals.

By Senator Fay (by request): Senate Bill No. 344—An Act to appropriate the sum of three thousand dollars to pay the claim of F. Carl Spelling.

Referred to Committee on Claims.

By Senator McGowan: Senate Bill No. 345—An Act to amend section two thousand four hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to pilotage.

Referred to Committee on Commerce and Navigation.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Carpenter: Senate Constitutional Amendment No. 11—An Act to submit to the people of the State of California an amendment to section three, article twelve, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 5—Relative to indebtedness of the United States Government to the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WILLIAMS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Also: Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Also: Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary thereof, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Also: Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

ADJOURNMENT.

At three o'clock and ten minutes P. M., on motion of Senator Williams, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 18, 1893. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Carpenter.

LEAVE OF ABSENCE.

Senator Gesford was granted a leave of absence until twelve o'clock this day, on motion of Senator Shippee.

MOTION.

Senator Carpenter moved that the Senate take up messages from the Assembly.

So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventeenth day of January, passed Assembly Bill No. 10—Relative to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

MOTION.

Senator Berry moved that Assembly Bill No. 10 be not referred to a committee, but that it be now read first time and placed on file for second reading.

The ayes and noes were demanded by Senators Berry, Ostrom, and Maher.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Dunn, Earl, Fay, Langford, McAllister, Mathews, Mitchell, Ostrom, Seawell, Simpson, Voorheis, Whitehurst, and Wilson—18.
NOES—Messrs. Broderick, Campbell, Carpenter, Denison, Everett, Hart, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Shippee, Streeter, and Williams—15.

FIRST READING OF BILL.

Assembly Bill No. 10—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Bill read first time and placed on file for second reading.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventeenth day of January, passed Assembly Concurrent Resolution No. 8—Relative to the meeting of the joint convention of the Senate and Assembly, for the purpose of electing five Trustees of the State Library.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Senator Voorheis moved that the Senate concur in Assembly Concurrent Resolution No. 8.

ASSEMBLY CONCURRENT RESOLUTION No. 8.

WHEREAS, Assembly Concurrent Resolution No. 4, as adopted by the Senate January 12, 1893, and concurred in by the Assembly, provides that the Senate and Assembly will meet in joint convention on Wednesday, January 18, 1893, at twelve o'clock *m.*, in the Assembly Chamber, for the purpose of electing five Trustees of the State Library, for the term commencing February 28, 1894, as provided for in section two thousand two hundred and ninety-two of the Political Code of California; and whereas, the Senate and Assembly are required by the Revised Statutes of the United States to meet in joint convention on the above-named day and hour for the election of a United States Senator; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Senate and Assembly will meet in joint convention on Wednesday, January 18, 1893, at eleven o'clock and thirty minutes *A. M.*, in the Assembly Chamber, for the purpose of electing five Trustees of the State Library, for the term commencing February 28, 1894, as provided for in section two thousand two hundred and ninety-two of the Political Code of California; and be it further

Resolved, That the action of the Senate and Assembly in adopting Assembly Concurrent Resolution No. 4, January 12, 1893, be and the same is hereby rescinded.

The roll was called, and Assembly Concurrent Resolution No. 8 adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Harp, Langford, McAllister, McGowan, Martin, Mitchell, Orr, Ostrom, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—24.
NOES—Messrs. Broderick, Everett, Hoyt, Maher, Seymour, and Williams—6.

Whereupon, the Secretary, on motion of Senator Voorheis, was directed to immediately notify the Assembly of its concurrence in the resolution.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 118—An Act entitled an Act for the relief of the widow of Albert P. Crigler.

Also: Senate Bill No. 135—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Claims.

Senate Bills Nos. 118 and 135 re-referred to Committee on Claims.

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Also: Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend 'An Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,' approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof."

Also: Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry, and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Also: Senate Bill No. 178—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Also: Senate Bill No. 179—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Also: Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 203—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Public Buildings other than Prison Buildings.

Senate Bills Nos. 144, 147, 148, 178, 179, 201, 202, 203, and 204 re-referred to Committee on Public Buildings other than Prison Buildings.

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery, and the erection of buildings for the manufacture of jute goods, for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on State Prisons and Prison Buildings.

VOORHEIS, Chairman.

Senate Bill No. 173 re-referred to Committee on State Prisons and Prison Buildings.

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Also: Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

Also: Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to Committee on Hospitals.

VOORHEIS, Chairman.

Senate Bills Nos. 6, 38, and 113 re-referred to Committee on Hospitals.

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1889, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election in cities of less than one hundred thousand population—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on State Library and Rules.

VOORHEIS, Chairman.

Senate Bill No. 149 re-referred to Committee on State Library and Rules.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 126—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 16—An Act to make an appropriation to pay the claim of the "California Spirit of the Times" for advertising the election proclamation in the forty-second fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CAMPBELL, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 1—An Act requiring city, city and county, or town authorities to enact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets or public highways of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare; and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number, providing how such Inspectors shall be appointed and

designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors—have had the same under consideration, and respectfully report the same back, and recommend that it be amended by inserting the words "one hundred" in lieu of "fifty," in section one, second line, and that the bill as amended do pass.

BAILEY, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry, at Lone, and for furnishing and equipping the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, January 18, 1893.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 134—An Act to establish a uniform system of mine signals to be used in all the mines operated in the State of California, and for the protection of miners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FORD, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of butter and cheese, and to appropriate money for its enforcement.

Also: Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Also: Senate Joint Resolution No. 10—Relative to the abolishment of the duty on grain bags, burlaps, gunnies, or gunny cloth.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SHIPPEE, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Mathews: Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Referred to Committee on City, City and County, and Town Governments.

By Senator McAllister: Senate Bill No. 347—An Act to establish a tax on collateral inheritances, to provide for its levy and collection, and to create therewith a fund for the maintenance of kindergartens.

Referred to Committee on Judiciary.

By Senator Ragsdale: Senate Bill No. 348—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said land.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Hart: Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Referred to Committee on Counties and County Boundaries.

RECESS.

At eleven o'clock and thirty minutes A. M., the President of the Senate declared a recess preparatory to going into joint convention for the purpose of electing five Trustees for the State Library.

The Senators then proceeded in a body to meet the House in joint assembly.

IN JOINT CONVENTION.

WEDNESDAY, January 18, 1893.

At the hour of eleven o'clock and thirty minutes A. M., pursuant to concurrent resolution previously adopted by both houses, and as provided for in section two thousand two hundred and ninety-two of the Political Code, and to elect five Trustees for the State Library for the term of four years, commencing February 28, 1894, both houses assembled in joint convention. Lieutenant-Governor J. B. Reddick, the President of the Senate, and Hon. F. H. Gould, the Speaker of the Assembly, presiding.

The Secretary of the Senate called the roll of the Senate, and the following Senators responded:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gastford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Chief Clerk of the Assembly called the roll of the Assembly, and the following members responded:

Messrs. Alford, Anderson, Andrews, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godehans, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McAuley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Puschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum of both houses present.

RESOLUTION.

By Senator Flint:

Resolved, That when the roll is called on the election of Trustees for the State Library, each Senator and Assemblyman announce the names of five candidates as his choice for the office of Trustees of the State Library.

Adopted.

The President of the Senate announced that the first order of business would be the election of five Trustees of the State Library.

NOMINATIONS.

The President of the Senate declared nominations in order.

Mr. Mathews of Tehama nominated Curtis H. Lindley of San Francisco, Ed. E. Leake of Yolo, Dr. M. Gardner of Sacramento, F. T. Baldwin of San Joaquin, and W. S. Green of Colusa.

Mr. Duckworth nominated Adam Andrews of Sacramento, Wm. R. Davis of Alameda, Isaac Trumbo of San Francisco, John S. Dore of Fresno, and E. M. Wardell of Los Angeles.

Senator Everett nominated William Cluff of San Francisco.

There being no further nominations, the President of the Senate declared the nominations closed.

The roll of the Senate was called by the Secretary of the Senate, with the following result.

For Lindley—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson.

For Leake—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson.

For Gardner—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Shippee, Whitehurst, and Wilson.

For Baldwin—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Shippee, Whitehurst, and Wilson.

For Green—Messrs. Arms, Bailey, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Hart, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson.

For Andrews—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams.

For Davis—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams.

For Trumbo—Messrs. Carpenter, Denison, Flint, Hoyt, Mahoney, Seymour, Simpson, Streeter, and Voorheis.

For Dore—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams.

For Wardell—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams.

For Cluff—Messrs. Broderick, Campbell, Earl, Everett, McGowan, Maher, Mahoney, Orr, Ragsdale, Shippee, and Williams.

Whole number of votes cast.....	38 votes.
Curtis H. Lindley received.....	18 votes.
Ed. E. Leake received.....	18 votes.
Dr. M. Gardner received.....	18 votes.
F. T. Baldwin received.....	18 votes.
W. S. Green received.....	20 votes.
Adam Andrews received.....	20 votes.
Wm. R. Davis received.....	20 votes.
Isaac Trumbo received.....	9 votes.
John S. Dore received.....	19 votes.
E. M. Wardell received.....	19 votes.
Wm. Cluff received.....	11 votes.

The roll of the Assembly was called by the Chief Clerk of the Assembly, with the following result:

For Lindley—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, and Mr. Speaker.

For Leake—Messrs. Alford, Blakeley, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, and Mr. Speaker.

For Gardner—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Chipman, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godchaux, Ham-

ilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, and Mr. Speaker.

For Baldwin—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godechaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, and Mr. Speaker.

For Green—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godechaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Neill, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Thomas of Nevada, Tindall, Vann, and Mr. Speaker.

For Andrews—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, and Wade.

For Davis—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Lynch, Miller, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade.

For Trumbo—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade.

For Dore—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade.

For Wardell—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, O'Keefe, Owen, Pendleton, Perkins, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Santa Clara, Vann, and Wade.

For Cluff—Messrs. Carlson, Johnson of Humboldt, Standart, and Taylor.

For McConnell—Mr. Bledsoe.

For Carson—Mr. Bledsoe.

For Leonard—Mr. Bledsoe.

For Armstrong—Mr. Bledsoe.

For Owen—Mr. Bledsoe.

Whole number of votes cast, 79.

The President announced the result, as follows:

Whole number of votes cast.....	117 votes.
Necessary to a choice.....	59 votes.
Curtis H. Lindley received.....	62 votes.
Ed. E. Leake received.....	65 votes.
Dr. M. Gardner received.....	64 votes.
F. T. Baldwin received.....	64 votes.
W. S. Green received.....	67 votes.
Adam Andrews received.....	52 votes.
Wm. R. Davis received.....	53 votes.
Isaac Trumbo received.....	37 votes.
John S. Dore received.....	52 votes.
E. M. Wardell received.....	50 votes.
William Cluff received.....	15 votes.
J. M. McConnell received.....	1 vote.
Wm. Carson received.....	1 vote.
John P. Leonard received.....	1 vote.
S. Armstrong received.....	1 vote.
J. J. Owen received.....	1 vote.

The President of the Senate announced that Curtis H. Lindley, Ed. E. Leake, Dr. M. Gardner, F. T. Baldwin, and W. S. Green having each received a majority of all the votes cast in joint convention, a majority of all the members elected to both houses being present and voting,

were duly elected Trustees of the State Library, to serve for the term of four years, commencing at the expiration of the term ending on the twenty-eighth day of February, 1894.

READING OF THE MINUTES.

The President of the Senate directed that the minutes of the joint convention be read for approval.

APPROVAL OF JOURNAL.

The minutes of the joint convention were read and approved.

ADJOURNMENT.

On motion of Senator Flint the joint convention stood adjourned.

IN JOINT ASSEMBLY.

WEDNESDAY, January 18, 1893.

The hour of twelve o'clock meridian having arrived, the Senate and Assembly went into joint session for the purpose of electing a United States Senator, pursuant to an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and pursuant to the provisions of sections fourteen and fifteen of an Act of Congress of the United States entitled "An Act to revise and consolidate the Statutes of the United States in force on the first day of December, Anno Domini 1873," approved January 22, 1874, Lieutenant-Governor J. B. Reddick, President of the Senate, and Hon. F. H. Gould, Speaker of the Assembly, presiding.

The President of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following Assemblymen answered to their names:

Messrs. Adams, Alford, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Boyce, Bretz, Brownlie, Buckley, Bulla, Burke, Carlson, Casterline, Chipman, Conway, Curtis, Cusick, Dodge, Drees, Duckworth, Duffy, Durst, Emeric, Finlayson, Gallagher, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Kahn, Kerns, LaRue, Luttringer, Lynch, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Miller, Mordecai, O'Keefe, O'Neill, Owen, Pendleton, Perkins, Price, Pueschel, Raw, Sargent, Schlesinger, Schroebel, Shanahan, Simpson, Sims, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Tindall, Vann, Wade, and Mr. Speaker.

Quorum of both houses present.

The President of the Senate directed the Secretary of the Senate to read the Act of Congress requiring the joint assembly to be held this day. It was read, as follows:

Title two, chapter one, Revised Statutes United States—An Act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866.

Be it enacted by the Senate and House of Representatives of the United States, in Congress assembled:

SECTION 14. The Legislature of each State, which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who received a majority of the whole number of votes cast in each house shall be entered on the Journal of that house by the Clerk or Secretary thereof, or if either house fails to give such majority to any person on that day, the fact shall be entered on the Journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly, and the Journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receive such majority on the first day, the joint assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the Legislature, and shall take at least one vote until a Senator is elected.

SEC. 16. Whenever, on the meeting of the Legislature of any State, a vacancy exists in the representation of such State in the Senate, the Legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever, during the session of the Legislature of any State a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the Legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the Executive of the State from which any Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

The Secretary of the Senate then read from the Journal of the Senate so much of the proceedings of yesterday, which was the second Tuesday after organization of the thirtieth session, as relates to the election of a United States Senator for the term of six years, beginning March 4, 1893, whereby it appears that forty Senators were present, and voted, each for his choice, and that the—

Hon. Stephen M. White received.....	18 votes.
Hon. George C. Perkins received.....	6 votes.
Hon. Charles N. Felton received.....	7 votes.
Hon. Thomas R. Bard received.....	5 votes.
Hon. R. M. Widney received.....	3 votes.
Hon. F. C. Franck received.....	1 vote.

The Chief Clerk of the Assembly then read so much of the Journal of the Assembly of yesterday as relates to the proceedings of that body in reference to the election of a United States Senator, held in accordance with the Act of Congress above recited, whereby it appears that eighty members of the Assembly were present, and voted, each for his choice, and that the—

Hon. Charles N. Felton received.....	6 votes.
Hon. Stephen M. White received.....	42 votes.
Hon. George C. Perkins received.....	8 votes.
Hon. Thomas R. Bard received.....	4 votes.

Hon. Robert M. Widney received.....	4 votes.
Hon. E. M. Preston received.....	1 vote.
Hon. Thomas V. Cator received.....	8 votes.
Hon. D. C. Reed received.....	3 votes.
Hon. F. C. Franck received.....	2 votes.
Hon. J. H. Neff received.....	1 vote.
Hon. M. M. Estee received.....	1 vote.

The Speaker of the Assembly then announced that it appearing by the Journals of the Senate and the Assembly that in the proceedings yesterday pertaining to the election of a Senator in Congress from California, to fill the term commencing March 4, 1893, that the same person has not received a majority of the votes of each house as a choice for United States Senator to fill such term, it is now the duty of, and is now in order, for this joint assembly to elect a Senator in Congress from California to fill such term.

The President of the Senate announced that nominations would be in order for United States Senator for the State of California for the term of six years, beginning the fourth day of March, 1893.

NOMINATIONS.

Senator Gesford nominated Hon. Stephen M. White of Los Angeles.

Mr. O'Keefe nominated Hon. Charles N. Felton of San Mateo.

Mr. Dodge nominated Hon. George C. Perkins of Alameda.

Mr. Alford seconded the nomination of Mr. White.

Mr. Hamilton seconded the nomination of Mr. White.

Mr. Bledsoe seconded the nomination of Mr. Felton.

Mr. McElroy seconded the nomination of Mr. White.

Mr. Bretz nominated Hon. Thomas V. Cator.

Senator Ford seconded the nomination of Mr. Felton.

Senator Bailey nominated Hon. Robert M. Widney of Los Angeles.

Mr. Carlson nominated Hon. D. C. Reed of San Diego.

Senator Orr nominated Hon. Thomas R. Bard of Ventura.

Mr. Talbott seconded the nomination of Mr. Bard.

Mr. Barlow seconded the nomination of Mr. Cator.

Mr. Casterline seconded the nomination of Mr. Reed.

Senator Streeter seconded the nomination of Mr. Reed.

Mr. Androus seconded the nomination of Mr. Widney.

Senator Williams nominated Hon. F. C. Franck.

MOTION.

Mr. Dodge moved a call of the House.

The President of the Senate declared the motion lost.

NOMINATIONS CLOSED.

The President of the Senate declared nominations closed, and ordered the Secretary of the Senate to call the roll of the Senate.

MOTION.

Mr. Bledsoe moved a call of the House, seconded by Messrs. Carlson and Barlow.

The ayes and noes were demanded by Messrs. Bledsoe, Barlow, and Carlson.

The roll of the Senate was called by the Secretary of the Senate, with the following result:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Hart, Hoyt, McGowan, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—22.

NOES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—18.

The roll of the Assembly was called by the Chief Clerk of the Assembly, with the following result:

AYES—Messrs. Adams, Anderson, Androus, Barker, Barlow, Bennett of Santa Clara, Bennett of Orange, Blakeley, Bledsoe, Bretz, Bulla, Carlson, Casterline, Chipman, Dodge, Duckworth, Durst, Jacobsen, Johnson of Humboldt, Kahn, Kerns, Lynch, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, and Wade—37.

NOES—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godechaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Puschel, Sargent, Schlesinger, Schroebel, Shanahan, Sims, Tindall, and Mr. Speaker—42.

TOTAL VOTE.

Ayes	59
Noes	60

The President of the Senate declared the motion lost.

ELECTION OF UNITED STATES SENATOR.

The President of the Senate directed the Secretary of the Senate to call the roll of the Senate for its choice for United States Senator.

The Secretary of the Senate called the roll of the Senate, and each Senator pronounced the name of the person for whom he voted, as follows:

For White—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson.

For Felton—Messrs. Everett, McGowan, Mahoney, Ragsdale, Shippee, and Voorheis.

For Perkins—Messrs. Campbell, Denison, Earl, Ford, Hart, Hoyt, and Simpson.

For Widney—Messrs. Bailey and Carpenter.

For Reed—Messrs. Broderick and Streeter.

For Bard—Messrs. Flint, Maher, Orr, and Seymour.

For Franck—Mr. Williams.

Whole number of votes cast	40 votes.
S. M. White received	18 votes.
Chas. N. Felton received	6 votes.
George C. Perkins received	7 votes.
Robert M. Widney received	2 votes.
D. C. Reed received	2 votes.
Thos. R. Bard received	4 votes.
F. C. Franck received	1 vote.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of the Assembly for its choice for United States Senator.

The Chief Clerk of the Assembly called the roll of the Assembly, and each member pronounced the name of his choice for Senator, as follows:

For White—Messrs. Alford, Boyce, Brownlie, Buckley, Burke, Conway, Curtis, Cusick, Drees, Duffy, Emeric, Finlayson, Gallagher, Gately, Godechaux, Hamilton, Hendrickson,

Hurley, Hutson, Jacobs, Johnson of Santa Clara, Kennedy, Kerns, LaRue, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordecai, O'Neill, Price, Pueschel, Sargent, Schlesinger, Schroebl, Shanahan, Sims, Tindall, and Mr. Speaker.

For Felton—Messrs. Bledsoe, Duckworth, Durst, Johnson of Humboldt, and O'Keefe.

For Perkins—Messrs. Dodge, Miller, Standart, Taggart, and Taylor.

For Widney—Messrs. Androus, Bulla, Pendleton, and Simpson.

For Preston—Mr. Thomas of Nevada.

For Cator—Messrs. Adams, Barlow, Bennett of Orange, Bretz, Jacobsen, Thomas of Santa Clara, and Vann.

For Reed—Messrs. Anderson, Blakeley, Carlson, Casterline, Chipman, and Owen.

For Estee—Mr. Wade.

For Bard—Messrs. Barker, Lynch, Perkins, Raw, and Talbott.

For Franck—Messrs. Bennett of Santa Clara and Kahn.

Whole number of votes cast.....	79 votes.
S. M. White received.....	43 votes.
Chas. N. Felton received.....	5 votes.
Geo. C. Perkins received.....	5 votes.
Robt. M. Widney received.....	4 votes.
E. M. Preston received.....	1 vote.
T. V. Cator received.....	7 votes.
D. C. Reed received.....	6 votes.
M. M. Estee received.....	1 vote.
Thos. R. Bard received.....	5 votes.
F. C. Franck received.....	2 votes.

Pending the announcement of the result, Mr. Bretz arose to state that he desired to change his vote.

MOTION.

Mr. Mathews of Tehama moved that the remarks of Mr. Bretz be taken down by the Clerk.

So ordered.

The remarks were as follows:

We believe that this change was brought about by the corrupt use of money, and we believe that Marion Cannon is the negotiator.

Mr. McElroy moved to strike out the words "we believe" at the beginning of his remarks.

Senator Ostrom moved that further proceedings under this matter be dispensed with.

So ordered.

ANNOUNCEMENT OF VOTE.

The Speaker of the Assembly announced the result of the ballot, as follows:

Whole number of votes cast.....	119 votes.
Necessary to a choice.....	60 votes.
S. M. White received.....	61 votes.
Chas. N. Felton received.....	11 votes.
George C. Perkins received.....	12 votes.
Robt. M. Widney received.....	6 votes.
E. M. Preston received.....	1 vote.
T. V. Cator received.....	7 votes.
D. C. Reed received.....	8 votes.
M. M. Estee received.....	1 vote.
Thos. R. Bard received.....	9 votes.
F. C. Franck received.....	3 votes.

HON. S. M. WHITE DECLARED ELECTED.

The Speaker of the Assembly then announced the vote, and declared that the Hon. Stephen M. White of Los Angeles having received a

majority of all the votes cast by the members of both houses of the Legislature present and voting in Joint Assembly, was duly declared elected to represent the State of California in the Senate of the United States for the term of six years, commencing March 4, 1893.

RESOLUTION.

By Senator Mathews:

Resolved, That the Secretary of the Senate and the Clerk of the Assembly be and they are hereby directed to prepare and transmit forthwith to the Governor of the State of California, a copy of the proceedings of this Joint Assembly pertaining to the election of a person to the United States Senate in Congress from California for the term of six years, beginning March 4, 1893, in accordance with an Act of Congress entitled "An Act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, and that said copy be attested by the President and Secretary of the Senate, and the Speaker and Clerk of the Assembly.

Adopted.

MOTION.

Senator Seawell moved that the President of the Senate appoint a Committee of five to wait upon Hon. Stephen M. White and invite him to address the Joint Assembly.

So ordered.

APPOINTMENT OF COMMITTEE.

The President of the Senate appointed as such committee, Senators Seawell, Denison, and McGowan, and Messrs. Finlayson and Burke.

Hon. Stephen M. White was escorted by the committee to the Speaker's chair.

ADDRESS.

The President of the Senate introduced Mr. White, who then addressed the Joint Assembly.

MINUTES APPROVED.

The minutes of the Joint Assembly were read and approved.

ADJOURNMENT.

At two o'clock and forty-five minutes P. M., on motion of Senator Berry, the Joint Assembly stood adjourned.

REASSEMBLED.

At three o'clock and seventeen minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Biggy, Broderick, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry, at Ione, and for furnishing and equipping the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTIONS.

By Senator Campbell:

Resolved, That the Committee on Claims be authorized to send for persons and papers and hear testimony concerning any matter or claim pending before such committee.

Adopted.

By Senator McAllister:

WHEREAS, The sad intelligence of the death of ex-President Hayes has reached us from his far-Eastern home; therefore

Resolved, That when this Senate adjourns it do so out of respect to the memory of ex-President Rutherford B. Hayes.

Adopted unanimously.

ADJOURNMENT.

At three o'clock and twenty-four minutes P. M., on motion of Senator Everett, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,)
Thursday, January 19, 1893. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Harp.

CORRECTION OF JOURNAL.

Senator Berry asked that the Journal of yesterday be corrected on page two as follows: That Assembly Bill No. 10 be not referred to a committee, but that it be now read first time and placed on file for second reading.

So ordered.

APPROVAL OF JOURNALS.

The Journals of Monday, January 16, 1893, Tuesday, January 17, 1893, and Wednesday, January 18, 1893, as corrected, were then approved.

RESOLUTION.

By Senator Voorheis:

Resolved, That Senate Bill No. 134 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 134 declared a case of urgency, by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—35.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Denison:

Resolved, That Senate Bill No. 24 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 24 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—30.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Read first time.

COMMITTEE AMENDMENT.

The following committee amendment was read and adopted:
Amend by adding another section, viz.:

SECTION 3. This Act shall take effect immediately from and after its passage.

Bill read second time, and ordered engrossed as amended and to a third reading.

RESOLUTION.

By Senator Carpenter:

Resolved, That Senate Bill No. 17 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 17 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—37.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, January 18, 1893.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 4—Relative to restricting of undesirable immigration.

Also: Senate Joint Resolution No. 8—Relative to requesting Congress to enact a law limiting or prohibiting foreign immigration.

Also: Senate Joint Resolution No. 9—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Joint Resolution No. 7—Relative to providing for an amendment to the Constitution of the United States, prohibiting bankers and holders of bank stock holding seats in Congress—have had the same under consideration, and respectfully report the same back without recommendation.

WILLIAMS, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ostrom: Senate Bill No. 350—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding two new sections thereto, concerning attorneys and counselors at law, chapter one, title five, part one.

Referred to Committee on Judiciary.

By Senator Langford: Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Hoyt: Senate Bill No. 352—An Act to amend section one hundred and seventy-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, and to fix and regulate the compensation of county and township officers, and of jurors and witnesses, and to provide for the payment thereof in counties of the thirteenth class.

Referred to Committee on County Government and Township Organization.

By Senator Simpson: Senate Bill No. 353—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, and one thousand three hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Referred to Committee on Judiciary.

By Senator McAllister: Senate Bill No. 354—An Act to create a special Commission, for the purpose of examining and reporting on the Torrens Land Transfer Act of Australia.

Referred to Committee on Judiciary.

By Senator Goucher: Senate Bill No. 355—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

By Senator Denison (by request): Senate Bill No. 356—An Act to amend section one thousand four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to special administrator.

Referred to Committee on Judiciary.

By Senator Shippee: Senate Bill No. 357—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

Referred to Committee on Counties and County Boundaries.

Also: Senate Bill No. 358—An Act to amend an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Whitehurst: Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Referred to Committee on Judiciary.

By Senator Earl (by request): Senate Bill No. 360—An Act making an appropriation to pay the claim of J. L. Cooke and William Guttenberger for balance due for materials furnished and work done in the construction of the branch State Prison at Folsom.

Referred to Committee on Claims.

Also: Senate Bill No. 361—An Act for the relief of J. F. Chapman & Co., for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

Referred to Committee on Claims.

Also: Senate Bill No. 362—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges.

Referred to Committee on Judiciary.

Also: Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to transfer of causes where Judge is disqualified.

Referred to Committee on Judiciary.

Also: Assembly Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Referred to Committee on City, City and County, and Town Governments.

By Senator Bailey: Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Referred to Committee on Finance.

By Senator Mahoney (by request): Senate Bill No. 366—An Act to provide for the publication of public printing, and fixing a legal rate for the same; also, designating what a legal newspaper shall be and what constitutes a legal publication.

Referred to Committee on Public Printing.

By Senator Ragsdale (by request): Senate Bill No. 367—An Act prescribing the qualifications of presidents, directors, officers, and employes of corporations, and providing a penalty for corporations willfully violating its provisions.

Referred to Committee on Corporations.

By Senator Williams: Senate Bill No. 368—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Referred to the Senate San Francisco Delegation.

By Senator Flint: Senate Bill No. 370—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the forty-fifth and forty-sixth fiscal years.

Referred to Committee on Finance.

By Senator Broderick: Senate Bill No. 371—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Referred to Committee on Corporations.

LEAVE OF ABSENCE.

Senator Campbell was granted a leave of absence for the day, on motion of Senator Ragsdale.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

Senate Bill No. 177 re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 178—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

Senate Bill No. 178 re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 179—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

Senate Bill No. 179 re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

Senate Bill No. 5 re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

Senate Bill No. 22 re-referred to Committee on Finance.

RECESS.

At twelve o'clock M. the President of the Senate declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and fifty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Gesford was granted a leave of absence for one day, on motion of Senator Goucher.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 372—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,'

approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder," and to provide for the appointment of road overseers for the various road districts within counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Referred to Committee on Roads and Highways.

By Senator Hart: Senate Bill No. 373—An Act to amend section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder.

Referred to Committee on Roads and Highways.

By Senator Mathews: Senate Bill No. 374—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure, relative to the trial of causes by the Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 375—An Act to amend section six hundred and thirty-three of the Code of Civil Procedure, relating to trial by Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 376—An Act to amend section six hundred and sixty of the Code of Civil Procedure, relative to new trials.

Referred to Committee on Judiciary.

By Senator Berry: Senate Bill No. 377—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seats by an election; to declare the manner of providing officers, and to determine the portion of the old county debt to be chargeable to such new county.

Referred to Committee on Counties and County Boundaries.

Also: Senate Bill No. 378—An Act to amend chapter seven, article ten, section nine hundred and ninety-six, of the Political Code, by adding a new division, providing for filling vacancies not otherwise provided for.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 379—An Act to restrain certain domestic animals from running at large.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 380—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of

highways by contract let out to the lowest bidder," and to provide for the appointment of road overseers for the various road districts within the counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 73—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-four, relating to eight hours' labor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 143—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section one thousand nine hundred and seventy, relating to the responsibility of employers—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

MAHER, Chairman.

Senate Bill No. 143 re-referred to Committee on Judiciary.

SPECIAL ORDER.

The hour for the consideration of Senate Bill No. 13 having arrived, Senator Burke moved that it be now taken up.

So ordered.

Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Senator McGowan, with permission of the Senate, withdrew his motion to strike out the enacting clause, to permit Senator Burke to introduce a substitute for the bill.

Senator Burke offered the following substitute for Senate Bill No. 13:

SUBSTITUTE FOR SENATE BILL No. 13.

An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction in cities and towns, and cities and counties having a population of five thousand or over, and to more effectually protect the people against contagious diseases.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. A State Board of Funeral Directors, to consist of three practical practicing funeral directors, is hereby created, with the powers, functions, and duties hereinafter prescribed. The members of said Board shall be appointed by the Governor, and shall hold office for the term of four years from and after their appointment.

SEC. 2. Said Board shall organize within thirty days after its appointment, and thereafter shall meet at least three times in each year, the stated meetings to be as follows: The second Monday in January at Los Angeles, the second Monday in May at San Francisco, and the second Monday in September at Sacramento, and shall remain in session at least two days at each meeting, and may meet as many times during each year, and at such other times and places, as it may deem necessary. Said Board shall elect a President and a Treasurer from among its members, and shall also elect a Secretary, who need not be a member of said Board.

SEC. 3. Every firm, corporation, or person who, at the time of the passage and approval of this Act, is engaged in any city, or town, or city and county, having a population of five thousand or over, in the business or practice of undertaking or funeral directing, or of caring for, preparing for burial, or disposing of the dead bodies of human

beings, shall, within six months from the approval of this Act by the Governor, cause the name, residence, and place of business of such firm, corporation, or person to be registered with the Secretary of said Board, who shall keep a book for that purpose, to be known as and marked "Register of Funeral Directors," which book shall be open to public inspection, under reasonable regulations; and all firms, corporations, and persons so registered shall be known and designated, for all the purposes of this Act, as "Funeral Directors," and shall be licensed by said Board to practice and carry on business as such.

SEC. 4. No firm, corporation, or person not registered as and within the time prescribed in section three of this Act, shall engage in or carry on in any city, or town, or city and county, having a population of five thousand or over, the business or practice of undertaking, or funeral directing, or caring for, preparing for burial, or disposing of the dead bodies of human beings, until such firm, corporation, or person shall have been duly examined and licensed, as prescribed in section five of this Act.

SEC. 5. Any person not registered as hereinbefore provided, who, after the passage of this Act, shall desire to engage in or continue the business or practice of undertaking or funeral directing, in any city, or town, or city and county, having a population of five thousand or over, must appear before said Board of Directors, at a regular or special meeting thereof, and be examined by said Board concerning his or her knowledge and skill in the art of preserving, disinfecting, and caring for the bodies of deceased human beings, and in the art of fumigating and disinfecting houses wherein death has occurred from any contagious or infectious disease. If it appear from such examination that the applicant possesses a reasonably efficient knowledge of the arts aforesaid, it shall be the duty of said Board to register such applicant, and, upon the payment of the fees hereinafter provided for, issue a license, to be signed by the President and Secretary of said Board, authorizing him or her to practice as an undertaker or funeral director in this State. If any person a member of any firm, or if any employé of any corporation, shall take and successfully pass the examination prescribed by this section, with the purpose and object of procuring a license upon behalf of such firm or corporation, then such firm or corporation shall be registered, and the license be issued by said Board to said firm or corporation; and it shall be lawful for said firm or corporation to carry on said business so long as said person through whom it may have taken such examination shall continue to be such member or employé; *provided, nevertheless*, that such member or employé shall at all times be actively engaged in carrying on the business of said firm or corporation. Otherwise it shall not be lawful for any firm or corporation to carry on said business.

SEC. 6. It shall be unlawful for any firm, corporation, or person, who is not at the time of the passage of this Act engaged in the business or practice of funeral directing in some city or town, or city and county in this State, having a population of five thousand or over, to commence such business in any city, or town, or city and county, having a population of five thousand or over, or who, being so engaged, is not registered with said Board of Directors, as provided in section three of this Act, to continue such business, unless he shall have been examined by said Board, and shall have received a license therefor from said Board, as provided in section five of this Act. All firms, corporations, and persons receiving licenses from said Board shall have the same registered with the County Clerk of the county in which such firm, corporation, or person is doing business, and with the Board of Health of the city or town in which such business is located, if there be a Board of Health in such town or city, in addition to keeping the same displayed in his or her office.

SEC. 7. Every firm, corporation, or person who shall register with such Board, as hereinbefore provided, shall pay therefor to said Board a registration fee of two dollars; and all firms, corporations, and persons who shall be examined by said Board, as hereinbefore provided, shall pay an examination and registration fee of three dollars; and out of the fund so paid to said Board as fees, as aforesaid, the members of said Board shall each receive, as compensation for his services, the sum of five dollars for each day's attendance upon the meetings of the Board; and in addition thereto all necessary expenses incurred in attending said meetings. Each claim therefor to be verified by his affidavit.

SEC. 8. Any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars for each and every offense.

SEC. 9. No license granted or issued under the provisions of this Act shall be in any manner assignable or transferable, nor shall it authorize any person other than the person, firm, or corporation therein named, to carry on the business of undertaking or funeral directing. Every such license shall specify, by name, the person, firm, or corporation to whom or which it shall be issued, and shall designate the particular place at which the business shall be carried on.

SEC. 10. It shall be the duty of every funeral director to thoroughly disinfect the body of a deceased person whose death has resulted from any contagious or infectious disease, and the apartment in which such death occurred, within four hours after notification of death, and report the same to the Health Office, if there be such in the city, city and county, town, or township, without delay.

SEC. 11. All fines recovered under this Act shall be paid into the treasury of the aforesaid Board, to aid in defraying its expenses.

GENERAL FILE.

SENATE CONCURRENT RESOLUTION No. 2.

Approving the charter of the City of Sacramento, in Sacramento County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on May 17, 1892.

WHEREAS, The City of Sacramento, in Sacramento County, California, is now and at all times herein referred to was a city containing a population of more than ten thousand and not more than one hundred thousand inhabitants; and whereas, at an election duly held in said city on December seventh, eighteen hundred and ninety-one, in accordance with law and with the provisions of section eight of article eleven of the Constitution of this State, a Board of Fifteen Freeholders, duly qualified, was duly elected in and by said city and by the qualified electors thereof, to prepare and propose a charter for said city, which said Board of Fifteen Freeholders did, within the ninety days next after such election, prepare and propose a charter for said city, and did, in so submitting such charter, also present for the choice of the voters two alternative propositions, hereinafter referred to, to be voted on separately without prejudice to the other provisions of such charter, which said charter, including said alternative propositions, was, on March fifth, eighteen hundred and ninety-two, signed in duplicate by a majority of the members of said Board of Freeholders, and was on said last named day returned, one copy thereof to the Mayor of said city, and the other copy thereof to the Recorder of Deeds of the County of Sacramento (within which county said city is situated); and whereas, such proposed charter, with the alternative propositions presented therewith, was then published in two daily papers of general circulation in said city, to wit: in "The Evening Bee" and in "The Daily Record-Union," in each instance for more than twenty days, such publication having been in each instance commenced within twenty days after the completion of said proposed charter; and whereas, said charter, with said two alternative propositions presented therewith, was, within not less than thirty days after the completion of said publication, submitted by the legislative authority of said city, to wit: by the Board of Trustees thereof, to the qualified electors of said city, at a special election, previously duly called, and thereafter held in said city on May seventeenth, eighteen hundred and ninety-two; and whereas, the returns of said election were duly canvassed by said Board of Trustees of the City of Sacramento, at its meeting held on May twenty-third, eighteen hundred and ninety-two, and said Board of Trustees found as the result of said canvass, and did duly determine and declare, that there were cast at said election fifteen hundred and seventy-eight votes in favor of said charter, and seven hundred and forty-one votes and no more against said charter, and that there were also cast at said election fourteen hundred and twenty-one votes in favor of Alternative Proposition Number One, and against Alternative Proposition Number Two, and five hundred and seventy-six votes against Alternative Proposition Number One, and in favor of Alternative Proposition Number Two, which were presented with said charter; and that said charter and Alternative Proposition Number One presented therewith had both been duly ratified and adopted by a majority of the qualified electors of said city voting at such election, and that Alternative Proposition Number Two, presented with said charter, had been defeated and rejected by a majority of the qualified electors of said city voting at such election; and whereas, at such election a majority of the qualified electors of said city voting thereat did vote in favor of and did ratify and adopt such charter, and (to constitute section two hundred and thirty of the charter) said Alternative Proposition Number One, presented therewith; and whereas, a majority of the qualified electors of said city voting at such election did defeat and reject Alternative Proposition Number Two, presented with such charter; and whereas, said charter so ratified, together with said Alternative Proposition Number One, presented therewith, and likewise ratified and adopted, and to become section two hundred and thirty of such charter, is now submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of section eight of article eleven of the Constitution of said State; and whereas, said charter, with the two alternative propositions presented therewith, is in words and figures following, to wit:

CHARTER FOR THE CITY OF SACRAMENTO.

ARTICLE I.

OF BOUNDARIES, RIGHTS, AND LIABILITIES.

SECTION 1. The municipal corporation, now existing, known as the City of Sacramento, shall remain and continue a body politic and corporate, in name and in fact, by the name of the City of Sacramento, and by that name shall have perpetual succession, may sue and defend in all Courts and places, and in all matters and proceedings whatever, and may have and use a common seal, and the same alter at pleasure; and may purchase, receive, hold, and enjoy real and personal property, within and without the City of Sacramento, and sell, convey, and dispose of the same for the common benefit; and may determine and declare what are public uses, and when the necessity exists of com-

demping lands therefor, and what are the lands it is necessary to condemn, and may receive bequests, gifts, and donations of all kinds of property, within and without the city, in fee simple, or in trust for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts, and donations, with power to manage, sell, lease, or otherwise dispose of the same, in accordance with the terms of the gift, bequest, or trust.

SEC. 2. The public buildings, lands, and property, all rights of property and rights of action, all moneys, revenues, and income belonging or appertaining to the City of Sacramento, are hereby declared to be vested in said City of Sacramento.

SEC. 3. The said City of Sacramento shall continue to have, hold, use, and enjoy all public buildings belonging to the City of Sacramento, and lands, wharves, waters, property, real and personal, rights of property, rights of action, suits, actions, moneys, revenues, income, books, documents, records, archives, claims, demands, and things in possession and action, of every nature and description, and shall be subject to all the obligations, debts, liabilities, dues, and duties of the existing municipality.

SEC. 4. Suits, actions, and proceedings may be brought in the name of the City of Sacramento for the recovery of any property, money, or thing belonging thereto, in law or equity, or dedicated to public use therein, or for the enforcement of any rights of, or contract with, said City of Sacramento, whether made or arising or accruing before or after the adoption of this charter; and all existing suits, actions, and proceedings in the Courts or elsewhere to which said city is a party shall continue to be carried on by or against the said City of Sacramento.

BOUNDARIES OF THE CITY.

SEC. 5. The boundaries of the City of Sacramento are as follows: Beginning at the junction of the center of the channel of the American River with the center of the channel of the Sacramento River as it existed on the twenty-sixth day of May, A. D. eighteen hundred and fifty-one, and running thence down the center of the channel of the Sacramento River to a point opposite the south line of Y Street as laid down on the official map or plan of the City of Sacramento on file in the office of the County Recorder of the County of Sacramento; thence easterly on a straight line and along the south line of Y Street to the east line of Thirty-first Street as laid down on said map; thence northerly along the east line of Thirty-first Street to the north line of A Street if produced to Thirty-first Street; thence westerly along the north line of A Street to the east line of Twenty-second Street; thence along the east line of Twenty-second Street to the north line of B Street north; and thence westerly along the north line of B Street north to the center of the bed or channel of the American River as it existed on the twenty-sixth day of May, A. D. eighteen hundred and fifty-one; and thence down the center of the channel of said American River as it existed on the twenty-sixth day of May, A. D. eighteen hundred and fifty-one, to the place of beginning.

DIVISION INTO WARDS.

SEC. 6. The City of Sacramento is hereby divided into nine wards, numbered consecutively from one to nine inclusive, as follows:

All that portion of the city lying north of the center of K Street and west of the center of Sixth Street shall constitute the First Ward.

All that portion of the city lying south of the center of K Street and west of the center of Fourth Street shall constitute the Second Ward.

All that portion of the city lying south of the center of K Street, east of the center of Fourth Street, and west of the center of Seventh Street, shall constitute the Third Ward.

All that portion of the city lying north of the center of K Street, east of the center of Sixth Street, and west of the center of Tenth Street, shall constitute the Fourth Ward.

All that portion of the city lying north of the center of K Street, east of the center of Tenth Street, and west of the center of Sixteenth Street, shall constitute the Fifth Ward.

All that portion of the city lying south of the center of K Street, east of the center of Seventh Street, and west of the center of Eleventh Street, shall constitute the Sixth Ward.

All that portion of the city lying south of the center of K Street, east of the center of Eleventh Street, and west of the center of Nineteenth Street, shall constitute the Seventh Ward.

All that portion of the city lying north of the center of K Street and east of the center of Sixteenth Street shall constitute the Eighth Ward.

All that portion of the city lying south of the center of K Street and east of the center of Nineteenth Street shall constitute the Ninth Ward.

ARTICLE II.

LEGISLATIVE DEPARTMENT.

SEC. 7. The legislative power of the City of Sacramento shall be vested in a Board of Trustees, who shall hold office for the term of four years, subject to the exception stated in the next section. Each member of the Board of Trustees shall be a qualified elector, at least twenty-five years of age, and shall have been a citizen of this State and an inhabitant of the city for at least three years, and of the ward which he represents for at least one year next before the day of his election.

SEC. 8. The Board of Trustees shall consist of nine members—one member from each ward, who shall be elected by the qualified electors of such ward. Of the members of the Board of Trustees first elected under this charter, the members from the First, Third, Fifth, Seventh, and Ninth Wards shall hold their office for four years, and the members from the Second, Fourth, Sixth, and Eighth Wards shall hold their office for only two years. At each election thereafter members of the Board of Trustees shall be elected to succeed those whose terms are about to expire.

SEC. 9. Any vacancy occurring in the office of Trustee shall be filled by appointment by the Mayor, and the person so appointed by him shall possess the qualifications hereinbefore prescribed for members of said Board, and shall hold office until the election and qualification of a Trustee to fill the vacancy, which election shall take place at the next succeeding municipal election, and the Trustees so elected shall hold office for the remainder of the unexpired term.

SEC. 10. The Board of Trustees shall meet on the first Monday after the first day of January next after the election of its members shall have been officially declared, and shall hold regular meetings on each Monday thereafter. If the time of a regular meeting falls on a holiday, such regular meeting shall be held on the following day. Special meetings may be called by the Mayor, the President of the Board, or three members of the Board of Trustees. Six members of the Board shall constitute a quorum, and the affirmative vote of five members shall be necessary for the passage of an ordinance, or the final transaction of any business; but a less number than six may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as the Board may prescribe.

SEC. 11. The Board of Trustees shall elect one of its members President immediately after the organization of the Board following each election. The President so elected shall hold such office for two years. The Board of Trustees shall establish rules for its proceedings. It shall have the power to punish its members for disorderly conduct in its presence, and may expel any member for malfeasance in office by an affirmative vote of seven of its members. The Board shall also have the power to compel the attendance of witnesses, and the production of all papers relating to any business before that body, and may punish disobedience of its subpoena, or contemptuous or disorderly conduct committed in its presence, by fine not exceeding fifty dollars, or imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 12. The President of the Board and the Chairman of each committee thereof shall have the power to administer oaths and affirmations relating to any business brought before the Board or under consideration by any committee thereof.

SEC. 13. No ordinance shall be revised or amended by reference only to its title, but when any ordinance is amended, the section or sections thereof so amended shall be re-enacted at length as amended.

SEC. 14. Every ordinance shall embrace but one subject, which shall be clearly indicated in the title. In all cases where the subject is not so expressed in the title, the ordinance shall be void as to the matter not expressed in the title.

SEC. 15. No proposed ordinance shall be adopted except by vote taken by yeas and nays, and the names of the members voting for and against the same shall be entered in the minutes.

SEC. 16. No ordinance shall be passed except by bill. Every bill, after it has passed the Board, shall be signed by the President thereof, and every bill which shall have passed the Board, and have been thus authenticated, shall be presented to the Mayor for his approval. The Mayor shall return such bill to the Board, or file the same with the City Clerk within ten days after receiving it. If he shall sign the same it shall then become an ordinance, but if he shall disapprove the bill, he shall state his objections thereto in writing. If the bill is not returned with such approval or disapproval within the time specified, it shall take effect as if he had approved the same.

SEC. 17. When a bill is returned without the approval of the Mayor, the Board shall, within fifteen days thereafter, proceed to consider and vote on the same. If the bill is again passed by an affirmative vote of not less than six members, it shall take effect as if the Mayor had approved the same. If the bill shall fail, on being so considered, to receive six affirmative votes, it shall then be finally lost. The vote shall be taken by yeas and nays, and the result shall be entered in the minutes of the Board.

SEC. 18. No ordinance passed by the Board shall take effect until ten days after its passage and approval, unless otherwise provided in the enactment.

SEC. 19. The Board of Trustees shall, in the year nineteen hundred, and every tenth year thereafter, redistrict the city into nine wards, making the same as nearly equal in population, and as geographically compact, as possible; but the city shall not be so redistricted within ninety days previous to any municipal election.

SEC. 20. The Board of Trustees shall, during the first year after its organization under this charter, cause all ordinances then in force to be classified under appropriate heads, and shall provide for the publication of the same in book form. Every officer of the city shall be entitled to one copy of such ordinances without charge, and every citizen applying for a copy shall be entitled to the same at the cost of publication. The Board shall, every five years after the publication as herein provided, cause all the ordinances at that time in force to be compiled, and shall publish the same, subject to the terms and conditions herein expressed. The Board shall also, at the end of each year, except the years above provided for, cause to be published in pamphlet form all ordinances passed during said year.

SEC. 21. The enacting clause of all ordinances shall be in these words: "The Board of Trustees of the City of Sacramento ordain as follows."

SEC. 22. No contract for supplies, printing, advertising, stationery, maintenance of prisoners, fuel, street sprinkling, street repairs, or lighting streets, public buildings, places, or offices, shall be made for a longer period than one year; nor shall any contract be made to pay for fuel, gas, electric lights, or any other illuminating material at a higher rate than is charged to any other consumer.

SEC. 23. No contract calling for the payment of more than one hundred dollars shall be effective unless authorized by vote of the Board of Trustees; when any contract shall be so authorized it shall, before it becomes effective, be presented to the Mayor for his approval; and the Mayor shall return the same to the Board, or to the clerk thereof, within five days after receiving it. If he shall sign the same it shall then become a contract, but if he shall disapprove it he shall state his objections thereto in writing. If the proposed contract is not returned with such approval or disapproval within said five days, it shall become valid, as if he had approved the same. When a proposed contract is returned without the approval of the Mayor, the Board of Trustees shall, within ten days thereafter, proceed to consider and vote on the same. If it is again authorized by an affirmative vote of not less than six members, it shall become a valid contract of the city, the same as if the Mayor had signed it, and not otherwise. The votes shall be taken by yeas and nays, and the result shall be entered in the minutes of the Board.

SEC. 24. Every officer of the city shall, at the end of each month, make, in writing, and furnish to the Board of Trustees, a full and detailed statement, upon oath, of all moneys received or disbursed by him, and of his other official transactions during said month. He shall also make like statements at such other times as the Board of Trustees may require.

SEC. 25. The Board of Trustees shall have power:

First—To try, and by a majority vote of all the members of the Board, to remove from office appointees against whom charges have been preferred; and by not less than seven affirmative votes to remove any appointee at any time, when in the judgment of the Board the public service will be improved thereby.

Second—To make by-laws and ordinances not repugnant to the Constitution of the United States or of the State of California, or any of the provisions of this charter.

Third—To levy and collect taxes and assessments on all property within the city, both real and personal, made taxable by law for State or county purposes, which taxes shall not exceed one percent per annum upon the assessed value for all property, for a general fund.

Fourth—To sell, use, lease, control, improve, and take care of the real estate and personal property of the city; *provided, however*, that said Board shall have no power to mortgage or hypothecate any property of said city for any purpose.

Fifth—To lay out, extend, alter, or close streets and alleys, provide for the grading, draining, cleaning, repairing, widening, lighting, or otherwise permanently improving the same, and for the construction, repair, regulation, and preservation of sidewalks, bridges, drains, curbs, gutters, and sewers, and to prevent or remove obstructions thereto or to any part thereof, and to provide for the numbering of houses.

Sixth—To organize, regulate, and maintain a Fire Department; also, to organize, regulate, and maintain a Police Department.

Seventh—To regulate or exclude the landing and storage of gunpowder and other combustible materials.

Eighth—To determine what are nuisances, and prevent and remove the same.

Ninth—To regulate the maintenance of acid works, slaughter houses, wash houses, laundries, tanneries, offensive trades, and all other manufactories, works, and businesses of every description that may endanger the public safety, health, or comfort, and to restrict the prosecution thereof to such fixed limits as may seem proper, or exclude such works and business from the city.

Tenth—To fix and collect license tax on, and to regulate, theaters, melodeons, balls, concerts, dances, and all theatrical or melodeon performances, and performances of any kind for which an admission fee is charged, or which may be held in any house where wines or liquors are sold, circuses, shows, billiard tables, bowling alleys, and all exhibitions and amusements. To fix and collect a license tax on all taverns, hotels, restaurants, saloons, bar-rooms, bankers, brokers, gold-dust buyers, manufacturers, livery stable keepers, express companies, and persons engaged in transmitting letters or packages, railroad and stage and steamboat companies, or owners, whose principal place of business is in said city, or who shall have an agency therein; to license and regulate auctioneers; to license, tax, regulate, prohibit, or suppress all tipping houses, dram shops, saloons, bars, bar-rooms, rattles, hawkers, peddlers, pawnbrokers, refreshment or coffee stands, booths, and sheds; to prohibit and suppress all dog fights, prize fights, cock fights, bear or bull or badger bait; also to prohibit or suppress all gaming, and all gambling or disorderly houses; also, to regulate, prohibit, or suppress all houses of ill-fame; also, to fix and collect a license tax upon all lawful professions, trades, or business not heretofore specified, having regard in such case to the amount of business done by each person, firm, or association thus licensed.

Eleventh—To provide and maintain all public buildings, parks, or squares necessary or proper for the use of the city.

Twelfth—To provide and maintain a labor bureau, and to thereby assist worthy persons in obtaining employment.

Thirteenth—To provide and maintain a morgue.

Fourteenth—To prevent and restrain any riot or riotous assemblage or disorderly conduct within said city.

Fifteenth—To provide for the formation of a chain-gang for persons convicted of crimes, vagrancy, or other misdemeanors, and for their proper employment for the benefit of the city.

Sixteenth—To establish and regulate markets.

Seventeenth—To provide for conducting elections, establishing election precincts, and appointing the necessary election officers.

Eighteenth—To build, alter, improve, keep in repair, and control the waterfront; to erect, regulate, and repair wharves, and to fix the rate of wharfage and transit levee dues upon vessels and commodities, and to provide for the collection thereof; to provide for the regulation of, berth, landing, stationing, and removing of steamboats, sail vessels, rafts, and all other watercraft; fix the rate of speed at which steamboats may run along the waterfront of the city; to fix, alter, and change the route of any railroad in the city, and regulate the speed at which the cars may run within the city limits, or any portion thereof.

Nineteenth—To examine, either in open session or by committee or commission, books, papers, vouchers, reports, and statements of the several officers, or of any other person having custody, care, management, collection, disbursement, or control of any moneys or property belonging, appertaining, or appropriated to the city or either of its funds, trusts, or uses.

Twentieth—To license hackney coaches, cabs, omnibuses, drays, and other vehicles used for hire, and to regulate their stands and rates of fare, and to license or suppress runners for steamboats, taverns, or hotels.

Twenty-first—To examine and liquidate all accounts against the city, and to allow or reject the same, or any part thereof, as found legal or illegal.

Twenty-second—To make appropriations, examine and audit, reject or allow, the accounts of all officers, or other persons having the care, management, collection, or disbursement of any money collected for, belonging, appertaining, or appropriated to the city, or any of its uses or trusts, and to determine, allow, and pay the salary, fees, or percentage which such officer or other person may by law be entitled to receive, except as otherwise herein provided; to make contracts and agreements for the use and benefit of the city, such contracts and agreements in all cases to specify the fund or funds out of which payment for the same is to be made, and that the same shall be paid out of the moneys appropriated to such fund or funds for the fiscal year. In no case shall a liability be created, or a warrant drawn, against any fund, beyond the actual amount of money existing in such fund wherewith to meet the same; *provided, however*, should the Board, or a majority thereof, contract or create any debt against the city contrary to the provisions of this charter, such debt, claim, or obligation shall be null and void as against the city or any of its funds; but every Trustee voting in favor of the contracting or creation of any such illegal debt shall be held personally responsible, jointly and severally, for the entire debt so created or contracted, and shall be deemed guilty of a malfeasance in office, and upon conviction shall be removed therefrom.

Twenty-third—To license ferries and bridges under the law regulating the granting of such license.

Twenty-fourth—To control, enlarge, and improve or abolish the cemeteries heretofore belonging to the city, and to create other cemeteries, and to sell or lease lots therein; to control and regulate interments, and prohibit them within the city limits.

Twenty-fifth—To establish fire limits and prevent the erection of wooden buildings therein; to regulate the construction of buildings, sheds, awnings, and signs.

Twenty-sixth—To provide for supplying the city with water, and to regulate the sale and distribution thereof; *provided, however*, the city shall always have and control the distribution of water within the city limits and collect the water rates therefor, and shall not grant or lease the right of distribution, or the collection of water rates to any person, firm, or corporation; but the city may contract for a supply of water, to be furnished for a term not exceeding twenty years, with any person, firm, or corporation, or may purchase, lease, or hold its own water supply, either within or without the city limits; *provided, however*, no contract for furnishing the city with water shall be made, unless approved by a vote of two thirds of the electors voting at any general or special election at which the proposition may be submitted.

Twenty-seventh—To provide for lighting the streets, alleys, public buildings, and public grounds, and to construct, purchase, lease, own, control, maintain, and operate a system of lighting by artificial gas, natural gas, electricity, or other means of illumination.

Twenty-eighth—To provide and maintain a city prison, and to provide for the care, feeding, and clothing of the city prisoners.

Twenty-ninth—To make real estate in said city liable for the construction of sidewalks, crossings, and all other street improvements adjacent thereto, and provide for the forced sale thereof for such purposes.

Thirtieth—To prevent or regulate the running at large of any animals; to establish a pound, and to authorize the destruction, sale, or impounding of any animals found running at large.

Thirty-first—To regulate or prohibit the use of steam boilers, the location of telegraph, telephone, electric light, and other poles and wires, and the construction of entrances to cellars and basements from sidewalks.

Thirty-second—To regulate the entrances to and exits from theaters, lecture-rooms, public halls, and churches, and the number and construction of such entrances and

exits, and to prohibit the placing of chairs, stools, benches, or other obstacles in the aisles of such buildings.

Thirty-third—To regulate and control the construction and maintenance of, and to grant to railroad corporations the right to construct and maintain, subject to control by the Board, pipes, tubes, conduits, signal bells, warning signs, wires, and other electric, telegraph, and mechanical appliances, in, along, over, under, and across the streets; *provided*, that said appliances shall be so constructed and placed as not to interfere with the fire alarm system, nor with the extinguishing of fires, nor with the free use of the sidewalks and streets. Also, to require railway companies either to station flagmen or to place sufficient warning signals or signal bells on such street crossings as may in the judgment of the Board be necessary.

Thirty-fourth—To grant franchises permitting any person, company, or corporation to lay and maintain tracks and to pass with steam railroads along, upon, and across, or elevated above or placed below any street of the city; *provided*, that the free use of such street shall not be unnecessarily obstructed thereby; and *provided further*, that any such franchise shall be granted only after notice published for thirty days in a daily newspaper published in the city, and by ordinance passed by the affirmative votes of not less than six members of the Board, and upon previous petition, in writing, of the owners of two thirds of the front feet of lands upon that part of the street to be so used. Such grants shall be without prejudice to the rights of non-consenting owners to compensation for damages.

Thirty-fifth—To grant franchises for a term not exceeding twenty-five years, for the construction and operation of street railways on and along the streets of the city, upon the following terms, *viz.*: Whenever the Board of Trustees shall determine that a franchise to construct and operate a street railway along and upon any of the streets of the city should be granted, the Board shall, after such determination, cause notice to be published for ten days in a daily newspaper published in the city, specifying the route over and along which it is determined to grant such franchise, and shall offer to grant the same to the person, company, or corporation that shall agree to pay to the City of Sacramento at the expiration of five years after the franchise is granted, and thereafter semi-annually, the largest per centum of the gross receipts of such road; *provided*, that all grants of franchises for street railways shall be upon condition that single fares on such roads shall not exceed five cents, and that only such rails as are of the most approved pattern shall be made use of in the construction of the road. The Board may in the granting of such franchise impose such further regulations and restrictions in the use thereof as to the Board may appear expedient, and the Board may also reject any and all bids, and refuse to grant any franchise for the proposed route; *provided further*, that the Board shall not grant any franchise for the construction of a street railway, except upon condition that at least one per cent of the gross receipts of such railway shall be paid to the city each year after the expiration of five years from the granting of the franchise.

Thirty-sixth—To require every railroad company to keep the streets in repair between the tracks, and along and within the distance of two feet upon each side of the tracks occupied by the company.

Thirty-seventh—To require, upon such notice as the Board may direct, any lots or portions of lots within the city which may be covered with stagnant water a portion of the year, to be filled up to such a level or grade as will prevent the same from being so covered, and to assess the cost of such filling upon such real estate, and provide that it shall be a lien thereon.

Thirty-eighth—To make all needful rules to govern the official conduct and duties of all officers of the city whose duties are not defined by this charter, and to impose additional duties upon those whose duties are stated; and to fix and regulate the charges and fees of all such officers where the fees are not otherwise fixed, and to compel the payment of all such charges and fees into the City Treasury.

Thirty-ninth—To prescribe fines, forfeitures, and penalties for the breach of any ordinance, and for the violation of any provision of this charter; but no penalty shall exceed the amount of five hundred dollars, or six months' imprisonment, or both such fine and imprisonment.

Fortieth—To authorize the Mayor to employ, in addition to the City Attorney, an attorney at law, at a salary not to exceed fifteen hundred dollars a year, and whose duty it shall be to advise the city officials, and attend to all civil suits and other matters in which the city may be legally interested.

Fifty-first—To make all rules and regulations necessary and proper for carrying into execution the foregoing powers, and all other powers vested in the Board by this charter or by general laws.

Fifty-second—To make and enforce all such other local, police, sanitary, and other regulations as are not in conflict with general laws or of the provisions of this charter.

ARTICLE III.

EXECUTIVE DEPARTMENT—OF THE MAYOR.

Sec. 26. There shall be a Mayor, who shall be the chief executive officer of the city. He shall be elected by the qualified voters of the City of Sacramento, at each general municipal election, and his term of office shall be two years. He shall be at least twenty-six years of age, and shall have been a citizen of the State and a resident and qualified elector of the city for the five years next preceding the day of his election.

SEC. 27. He shall vigilantly observe the official conduct of all public officers, and take note of the fidelity and exactitude, or the want thereof, with which they execute their duties and obligations, especially in the collection, administration, and disbursement of the public funds and property; and the books, records, and official papers of all departments, Boards, officers, and persons in the employ or service of the city, shall, at all times, be open to his inspection and examination. He shall take special care to see that the books and records of the said departments, Boards, officers, and persons are kept in legal and proper form; and any official delinquency, or willful neglect of duty, or official misconduct which he may discover or which shall be reported to him, shall be laid by him before the Board of Trustees, City Attorney, or District Attorney, in order that the public interests shall be protected, and the person in default be proceeded against according to law. He shall, from time to time, give the Board of Trustees information in writing relative to the state of the city, and shall recommend such measures as he may deem beneficial to its interest. He shall see that the laws of the State, the provisions of this charter, and the ordinances of the city are observed and enforced. He shall appoint a competent person or persons, expert in matters of book-keeping and accounts, to examine the books, records, condition, and affairs of every department, Board, or officer, and report fully thereon, in writing, to him at least once in every year, and to enforce such examination. Any person refusing to submit to, or permit such examination, or purposely delaying or impeding the same, must be suspended from office by the Mayor, and may be removed for malfeasance in office. He shall have a general supervision over all departments and public institutions of the city, and see that they are honestly, economically, and lawfully conducted. He shall take all proper measures for the preservation of public order, and the suppression of all riots and tumults, for which purpose he is authorized and empowered to use and command the police force; and if such police force is insufficient, it shall be his duty to call upon the Governor for military aid, in the manner provided by law, in order that such riots or tumults may be properly and effectually suppressed.

SEC. 28. The Mayor shall be duly notified by the City Clerk of all special meetings of the Board of Trustees, and of the time and place of all regular or special meetings of the standing or special committees thereof, and shall have the right and privilege of being present at all such meetings.

SEC. 29. He shall at least once a month, together with the President of the Board of Trustees and the City Attorney, count the cash in the City Treasury and see that it corresponds with the books of the Treasurer and Auditor, and report the result of such count to the Board of Trustees.

SEC. 30. He shall see that all contracts and agreements with the city are faithfully kept and fully performed; and to that end shall cause legal proceedings to be commenced and prosecuted in the name of the city, against all persons or corporations failing to fulfill their agreements or contracts, either in whole or in part. He shall have the general supervision of all city officers elected or appointed; he shall have power to suspend any city officer (except a member of the Board of Trustees) for a dereliction, neglect, or non-performance of duty, and shall report the same to the Board of Trustees. If the Board, after a hearing, by affirmative vote of at least five members, approve of the suspension, they shall declare the office vacant, or continue the suspension for such time as they may deem proper, and such vacancy shall be filled by the Mayor, subject to the approval of the Board of Trustees. It shall be the duty of every officer and person in the employ or service of the city, when it shall come to his knowledge that any contract or agreement with the city, or with any officer or department thereof, or relating to the business of any office, has been, or is about to be, violated, by the other contracting party, forthwith to report to the Mayor all facts and information within his possession concerning such matter; and a willful failure so to do shall be cause for the removal of such officer or employé, as in case of malfeasance in office.

SEC. 31. When, and so long as the Mayor is temporarily unable to perform his official duties, the President of the Board of Trustees shall act as Mayor *pro tempore*. When a vacancy occurs in the office of Mayor, it shall be filled for the unexpired term by the Board of Trustees, assembled for the purpose. A member of the Board of Trustees, during the term for which he shall have been elected or appointed, shall be ineligible to fill such vacancy.

SEC. 32. The Mayor, by and with the consent of the Board of Trustees, shall appoint all officers of the city whose election or appointment is not otherwise provided for in this charter or by law. When a nomination is made to the Board, action shall be taken thereon by the Board in not less than five nor more than fifteen days thereafter; and in case the officer nominated is not confirmed, the Mayor shall, within ten days thereafter, nominate another, and may continue doing so until the place is filled. No member of the Board of Trustees shall ever suggest, request the appointment of, appoint, or nominate, any officer, clerk, or employé, to any place in the city government, except to fill a vacancy in the office of Mayor, elect the President of the Board of Trustees, City Clerk, and necessary election officers.

SEC. 33. The Mayor shall not, during the term for which he shall have been elected, hold any other office, or be a member of any Board or commission connected with the Federal, State, or City Government, except as in this charter otherwise provided. Nor shall he ever receive from the city, for any cause or reason, any other or greater compensation than the salary allowed him by this charter as Mayor.

Sec. 34. The Mayor may, when necessary, appoint a clerk to be known as Mayor's Clerk. The Mayor shall perform all such other duties as may be prescribed by law or ordinance.

CITY CLERK.

Sec. 35. There shall be a City Clerk, who shall be a qualified elector of the city, and shall be elected by the Board of Trustees. He shall have the custody of, and be responsible for, the corporate seal, and all books, papers, records, and archives belonging to the city not in actual use by other officers or elsewhere by special provision committed to their custody; he shall be present at each meeting of the Board of Trustees, and keep a record of its proceedings; he shall keep separate books in which, respectively, he shall record all ordinances, contracts, and official bonds; he shall keep all of his books properly indexed, and open to public inspection when not in actual use; he shall make out, sign, and deliver to the City Auditor all licenses and receipts for water rates, and perform such other duties as are, or shall be, imposed upon him by this charter, or by ordinance; he shall devote his entire time to the duties of his office; he shall have power to take affidavits and administer oaths in all matters relating to the business of the city, and shall make no charge therefor.

Sec. 36. The term of office of the City Clerk shall be two years.

CITY AUDITOR AND ASSESSOR.

Sec. 37. There shall be a City Auditor, who shall be ex officio City Assessor, and who shall be elected by the qualified voters of the city at each general municipal election. He shall have been a citizen of the State and a resident and qualified elector of the city for at least two years next before his election. As Assessor he shall perform all the duties prescribed by this charter, or by law, for assessing property in the city for purposes of taxation. As Auditor he shall number and keep a record of all demands approved by him, showing the date of approval, amount, and name of original holder, the number, on what account, and out of what fund payable. It shall be his duty to be constantly acquainted with the exact condition of the treasury. He shall, on application of any person indebted to the city holding money payable into the City Treasury, or desiring to pay money therein, certify to the City Treasurer the amount thereof, to what fund applicable, and by whom to be paid. He shall, upon the written order of the City Treasurer directing him to issue a receipt for money paid into the City Treasury, charge the City Treasurer with the amount received by him, and give the person paying the same a receipt therefor. It shall be his duty to apportion among the several funds all public money at any time in the City Treasury not by law or ordinance specifically apportioned and appropriated, and forthwith notify the City Treasurer of such apportionment or appropriation. He shall countersign and deliver to the proper officer, all licenses and receipts for water rates. He shall, on the first Monday of each month, or oftener if required, report in writing to the Mayor and likewise to the Board of Trustees, the condition of each fund in the treasury. He shall keep a complete set of books for the city, in which shall be set forth in a plain and business-like manner every money transaction of the city, so that he can at any time tell the exact condition of the city's finances.

He shall make an annual report, showing the sources from which the city's revenues were derived and how expended. He shall draw and sign all warrants upon the treasury, except as otherwise in this charter provided. Every demand must, before it can be paid, be verified by the oath of the claimant or some one in his behalf, and be presented to the Auditor to be approved, who shall satisfy himself whether the money is legally due and remains unpaid, and whether the payment thereof from the treasury of the city is authorized by law; and if so, out of what fund, and that there is sufficient money in such fund with which to pay the same. After such examination he shall approve or reject the claim in whole or in part, and indorse on such demand his approval or rejection over his signature, together with the date thereof. If it is approved, the fund out of which it is to be paid shall be designated. If the claim is rejected, or any part of it, unless the party presenting it is willing to take in full of the entire demand the sum offered, the Auditor shall return it, with his reasons for rejecting it, to the Board or other body which originally authorized it; then if it is allowed by a majority vote of all the members of the Board or other body authorizing it, and approved by the Mayor, it shall be audited in the same manner as if it had not been rejected; *provided*, the said Board or other body had the authority to make the expenditure out of which the claim arose. No demand upon the City Treasury shall be considered, presented for action, or acted upon, allowed, or approved, unless it specifies on its face each several item composing it, and the amount and date thereof. Every demand shall be numbered and acted upon by the Auditor in the order of its presentation to him; and when allowed, either in whole or in part, the warrant therefor shall be numbered and entitled to payment out of the fund on which it is drawn in the same order as allowed. No demand upon the treasury shall be allowed by the Auditor in favor of any officer or other person, or any of his assigns, who is in any manner indebted to the city, without first deducting therefrom the amount of such indebtedness; nor in favor of any officer or other person, or his assigns, having the collection, care, custody, or control of public funds, unless the accounts of such officer or other person have been presented, passed, approved, and allowed, as is or may be required by law; nor in favor of any officer or other person, or his assigns, who has neglected to make any oath required by law or ordinance, or other regulation of the Board of Trustees; nor in favor of any officer, or his assigns, who has failed, to the knowl-

edge of the Auditor, to do any duty imposed upon him by law or ordinance, or other regulation of the Board of Trustees. The Auditor shall have authority to take affidavits and administer oaths necessary in the transaction of all city business, without charge, and shall perform such other duties as are imposed upon him by law or this charter.

SEC. 38. He shall keep publicly posted in his office a list of all persons receiving salaries or wages from the city, with the amount of monthly salary or wages received by each opposite his name, which list shall be revised and corrected by him monthly, and be at all times open to public inspection.

SEC. 39. The City Auditor and Assessor may appoint a deputy, who shall be a qualified elector of the city, and who shall possess the powers and may perform the duties pertaining to the offices of his principal.

SEC. 40. The City Assessor shall be allowed during the months of March, April, May, and June of each year such number of additional deputies, to be paid by the city, not exceeding one for every ten thousand inhabitants or fraction thereof, as may be necessary to carry the work of assessment forward promptly to completion. The salaries of such deputies shall not exceed three hundred dollars each for the entire time employed.

SEC. 41. The term of office of the Auditor shall be two years.

CITY TREASURER.

SEC. 42. There shall be a City Treasurer, who shall be elected by the qualified voters of the city at each general municipal election. He shall have been a citizen of the State and a resident and qualified elector of the city for at least five years next before his election. It shall be the duty of the City Treasurer to receive and keep all moneys that shall come to the city by taxation or otherwise, and to pay the same out on demands legally audited in the manner hereinafter provided; and without such auditing he shall disburse no public moneys whatever, except the principal and interest of the municipal debt, when payable. He shall receive no money into the City Treasury unless accompanied by the certificate of the City Auditor, provided for in section thirty-seven hereof. He shall issue to any person paying money into the City Treasury an order to the City Auditor directing the City Auditor to issue a receipt to such person, which order shall contain a statement of the amount paid into the City Treasury, the name of the person paying the same, and the fund to which the same is applied. He shall make a report at the close of business each Saturday to the Auditor, showing all moneys received during the week, together with the number of each order for a receipt given by him therefor, and from whom received, and to what fund applied. Whenever the city shall provide a proper vault and safes for the keeping of the city money, the Treasurer shall keep said moneys in said vault, and he shall not thereafter, under any circumstances, deposit with any person, corporation, or bank, any of the moneys of the city, or allow the same (except in payment of demands against the city) to pass out of his custody. If he shall violate any of the provisions of this section he shall forfeit his office and be forever disqualified from holding any position in the service of the city. As soon as possible after the adoption of this charter the Board of Trustees shall provide suitable vaults and safes for the use of the Treasurer. It shall be in the power of the Board of Trustees, by ordinance, at any time, to require the City Treasurer to devote his entire time to the duties of his office.

SEC. 43. The term of office of City Treasurer shall be two years.

CITY COLLECTOR.

SEC. 44. There shall be a City Collector, who shall be elected by the qualified voters of the city at each general municipal election. He shall have been a citizen of the State and a resident and qualified elector of the city for at least five years next before his election. It shall be the duty of the City Collector to receive and collect all city taxes, general and special; he shall also collect all city licenses, water rates, harbor dues, cemetery receipts, and such other branches of the city revenue, not otherwise herein provided for, as the Board of Trustees may by ordinance direct, and pay the same over to the City Treasurer weekly. The time and manner of collection of licenses shall be provided by the Board of Trustees.

SEC. 45. Whenever any person required by any city ordinance to take out a license shall fail, neglect, or refuse to take out such license and pay therefor in the manner and at the time in such ordinance provided; or, if any person so required to take out any license shall transact, do, or carry on any business, trade, or occupation, without having first procured the requisite license for such trading or carrying on, the City Collector shall report such delinquent to the City Attorney, who shall at once bring suit, in the name of the city, against the delinquent; and in such case the City Collector or City Attorney may make the necessary affidavit as in other cases, for an attachment, and a writ of attachment shall issue upon the filing of the affidavit, against the property of such delinquent, without an undertaking being filed by or on behalf of the city; and in such action the sum of fifteen dollars shall be included in the judgment as liquidated damages, together with the original debt and costs of the action; *provided, however*, nothing in this section shall authorize the Court, officer, or any other person whomsoever to make any claim or charge against the city for any services rendered in or about any such action; and *provided further*, that in any such suit no witness for the plaintiff shall be entitled to demand or receive any witness fees or mileage in advance, nor shall any witness be entitled to charge or receive any fees or mileage whatever, unless the same are made as costs out of the defendant; and *provided further*, that if judgment is rendered

for the defendant, it shall be general, and without costs; *and provided further*, that any person who shall commence or continue to do, transact, or carry on any business, trade, profession, or calling, for which a license may by any ordinance be required to be taken out, without first procuring such license, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or be imprisoned for not less than five nor more than fifty days. Upon the trial of any criminal action provided for by this section, the defendant shall be deemed not to have procured the proper license, unless he either produces it or proves that he did procure it; but he may plead in bar of the criminal action a recovery against him and the payment by him, in a civil action, of the proper license money, damages, and costs.

SEC. 46. All billiard tables, bar fixtures, tenpin alleys, pins, and balls, furniture, crockery, glassware, liquors and chattels of every kind used in transacting or carrying on or doing the business of a drinking saloon, bar, restaurant, billiard saloon, tenpin alley, tavern, eating house, ball-room, dance house, theater, or circus, where by ordinance such business is required to be licensed, shall, without reference to the actual ownership of such property, be liable for and may be taken in attachment or on execution for the license money due on the business in which they are allowed to be used; and every dray, cart, wagon, carriage, hack, omnibus, or other vehicle required by ordinance to be licensed, together with the horse or horses commonly used thereon, shall, without reference to the actual ownership of such property, be liable for and may be taken in attachment or on execution for the license money due on such dray, cart, wagon, carriage, hack, omnibus, or other vehicle. There shall be added to every license not obtained within five days after the same becomes due and payable, the sum of one dollar, which shall become a part of the license, and be paid into the treasury in the same manner as other revenues.

SEC. 47. The City Collector shall be allowed one deputy and one or more clerks, not to exceed three in number, as the Board of Trustees may determine, except as herein otherwise provided. Such deputy and all such clerks shall be appointed by the City Collector, and shall retain their positions during the term of office of the City Collector appointing them, unless sooner removed by the City Collector or the Board of Trustees; as in this charter provided for the removal of any appointee, when in the judgment of said Board the public service will be improved thereby. If at any time, by reason of the growth of the city and a large increase of population, the duties of the City Collector's office become too arduous to be performed in a thorough manner with the maximum force herein provided for, then the Board of Trustees may allow one or more additional clerks, as in the judgment of said Board the increased duties of the Collector's office demand. Such additional clerks shall not receive a greater compensation for service than twelve hundred dollars per annum.

SEC. 48. The term of office of the City Collector shall be two years.

CITY ATTORNEY.

SEC. 49. There shall be a City Attorney, who shall be elected by the qualified voters of the city at each general municipal election, and who shall have been an elector of the city for at least two years next before his election, and shall be an attorney and counselor at law, duly admitted to practice by the Supreme Court of this State, and whose term of office shall be two years, and until his successor is elected and qualified. It shall be his duty to prosecute, on behalf of the people, all criminal cases before the Police Court, and the City Justices of the Peace, and all violations of this charter, and of city ordinances and resolutions. It shall be his duty to attend to all suits and other matters to which the city is a party, or in which the city may be legally interested; *provided*, the Board of Trustees shall have control of all litigation of the city, and may direct an attorney, selected by the Mayor, to take charge thereof, or to assist the City Attorney therein. The City Attorney shall give his advice, or opinion, to the Mayor, Board of Trustees, Board of Education, or other city officers, whenever required to do so, and do such other things appertaining to his office as by the Board of Trustees, or Mayor, may be required of him. He shall approve the form of all bonds given to, and all contracts made with, the city. He shall, when required by the Board of Trustees, or any member thereof, draft any and all proposed ordinances for the city.

ARTICLE IV.

JUDICIAL DEPARTMENT.

SEC. 50. All the powers, jurisdiction, and authority which, prior to the adoption of this charter, have been exercised by the Police Judge and the Police Court of the City of Sacramento, or either of them, shall hereafter be vested in and exercised by the City Justice of the Peace; or if there be more than one such City Justice, then by the one to be designated by the Mayor; and it is hereby made the duty of said City Justice, in addition to the duties otherwise required of him by law, to hold a Police Court in said city. Said City Justice and the Court so held by him shall have, in addition to the civil jurisdiction conferred by law upon Justices' Courts, jurisdiction of the following public offenses committed within the city, and which shall be prosecuted in the name of the people of the State of California:

First—Petit larceny.

Second -Assault or battery not charged to have been committed upon a public officer in the discharge of his duties, or to have been committed with such intent as to render the same a felony.

Third -Breaches of the peace, riots, routs, affrays, committing a wrongful injury to property, and all misdemeanors punishable by fine not exceeding five hundred dollars, or imprisonment not exceeding six months, or by both such fine and imprisonment.

Fourth -Of all proceedings for the violation of any ordinance of the city, or of any provision of this charter.

Fifth -The examination of persons charged with the committing of any offense to be prosecuted by indictment or information.

Sixth -Such other criminal jurisdiction as is, or may hereafter be, conferred by law upon Police Courts, Justices' Courts, or Justices of the Peace; and in the exercise of his jurisdiction he may punish persons guilty of contempt of Court, and may issue warrants of arrest, subpoenas, venire, writs, executions, attachments, and all other processes necessary and proper.

SEC. 51. In all cases in which the Justice is a party, or in which he is interested, or related to either party by consanguinity or affinity within the third degree, and in case of his sickness, absence, or inability to act, any Justice of the Peace of the County of Sacramento may, at the request of the Mayor, act in the place and stead of said City Justice.

SEC. 52. Said City Justice holding the Police Court shall have a clerk, to be designated the Clerk of the Police Court, who shall be appointed by the Mayor, by and with the consent of the Board of Trustees, and his term of office shall be two years. The Clerk shall keep a record of the proceedings of, and issue all process ordered by, the City Justice, or by said Police Court, and receive and pay weekly into the City Treasury all fines imposed by said Court. He shall each month render to the Auditor, and also to the Board of Trustees, an exact and detailed account in writing, upon oath, of all fines imposed and collected, and of all fines imposed and uncollected, and of all other moneys collected on behalf of the city since his last report, which said report shall be certified to by the City Justice. He shall prepare bonds and justify bail, when the amount has been fixed by the Justice, in cases where the bail does not exceed \$200, and he may administer oaths. The Clerk shall remain at the court-room of said Court during business hours, and during such reasonable time thereafter as may be necessary for discharging his duty.

SEC. 53. The city shall furnish a suitable court-room for said City Justice, at which he shall remain from 9 a. m. to 12 m., and from 1 p. m. to 5 p. m.; and shall also furnish the necessary dockets and blanks for the use of said Court. Said Court shall always be open, except upon non-judicial days, and also on such days for such purposes as are by law required of other Courts of the State on such days.

SEC. 54. Said Court shall be considered a Court of record, and shall have a seal, to be furnished by the city. Certified transcripts of the dockets, files, records, or any papers, process, or proceedings of said Court made by the Clerk thereof under seal of said Court, shall be received in evidence in any Court of this State; and all warrants and process of said Court, and all acts done by said Court and certified under its seal, shall have the same force and validity in any part of this State as though issued or done by any other Court of record in the State.

SEC. 55. In all cases where said Court is authorized to impose a fine, or imprisonment, or both, upon persons convicted in said Court of any offense triable therein, the Court may sentence the offender to be imprisoned in the city jail, if there be one, or in the county jail, and in addition to imprisonment may sentence offenders to labor in the chain-gang, or at other labor for the benefit of the city.

SEC. 56. The said Court and the Justice thereof shall have power to commit any offender under eighteen years of age, duly convicted, to the Preston School of Industry, or to the Whittier Reform School, or to any other reformatory institution for juvenile offenders that may at any time be provided by law.

SEC. 57. The Police Court and the City Justice shall be governed in their proceedings by the provisions of law regulating proceedings before Justices' Courts, Justices of the Peace, and Police Courts, except so far as the same are added to or modified by this charter; and such Police Court may be treated and considered as a Justices' Court whenever necessary to sustain and uphold the jurisdiction thereof, or of any proceedings had therein; and all provisions of law relating to Justices of the Peace and to Justices' Courts are hereby made applicable to said Police Court, and nothing in the title of the Court, or of any papers, or proceedings therein, shall affect the question of jurisdiction; and said Court and the said Justice shall have all the powers and jurisdiction now or hereafter conferred by law upon Justices' Courts, Police Courts, or Justices of the Peace, and shall charge and receive, for the benefit of the city, like fees for services.

SEC. 58. All actions and proceedings pending and undetermined, either in the City Justices' Court or in the Police Court of the City of Sacramento, as said Court existed prior to the taking effect of this charter, shall be proceeded with, heard, tried, and determined in the Police Court herein provided for, before said City Justice of the Peace, the same as if such actions and proceedings had been originally commenced therein.

SEC. 59. The City Justice of the Peace who shall hold the Police Court shall not be entitled by reason thereof to any new or additional salary or compensation, but the salary allowed him by law as City Justice of the Peace shall be in full for all services performed by him in holding such Police Court, and he shall account for and pay to the city all costs and fees by him collected; *provided, however*, that if, at any time, the law providing for payment of a salary to said City Justice is repealed, the Board of Trustees

may by ordinance provide for the payment by the city of a salary to said Justice, not exceeding two thousand dollars a year.

SEC. 60. Any and all Acts by which a Clerk of the Police Court of this city is provided, shall not be considered as applicable to the City of Sacramento after this charter takes effect.

ARTICLE V.

DEPARTMENT OF PUBLIC WORKS.

SEC. 61. The Board of Trustees shall, immediately after its organization, take possession and have the custody and control of all maps, surveys, field notes, records, plans, specifications, contracts, models, machinery, tools, appliances, contract rights, privileges, books, documents, papers, archives, and property belonging to said city heretofore kept by or in the offices of the City Surveyor, Superintendent of Streets, and Superintendent of Waterworks, or kept by or in the possession of any other officer and pertaining to any public buildings or public works of the city.

SEC. 62. The Board shall have charge and superintendence of all public work of every kind not otherwise controlled by general law to be done for the city, and also of furnishing all material and supplies for public use, except as otherwise provided in this charter. It shall be the duty of the Board to vigilantly inspect all parts of the city, and cause to be done from time to time such work as it shall deem necessary or proper.

SEC. 63. There shall be a City Surveyor, who shall be a qualified elector, and shall be appointed by the Mayor, by and with the consent of the Board of Trustees, and whose term of office shall be two years, and who shall perform all civil engineering and surveying required in the prosecution of the public works and improvements done under the direction of the Board, and shall certify to the progress and completion of the same, and do such other work pertaining to his profession as he may be directed to do by the Board or by any general law of the State of California. He shall keep a public office within the city, as provided by the Board of Trustees, and shall keep therein the records of his office and all maps, plats, surveys, and certificates pertaining thereto, with an index for easy reference. All such records, maps, plats, surveys, and certificates, including monuments, shall be considered the property of the city, and shall be turned over to his successor in office.

SEC. 64. There shall be a Superintendent of Streets, who shall be a qualified elector, and shall be appointed by the Mayor, by and with the consent of the Board of Trustees, and whose term of office shall be two years, and whose duty shall be to see that the laws, ordinances, orders, and regulations relating to sewers, drains, levees, streets, alleys, and highways are fully carried into execution, and that the penalties thereof are rigidly enforced. He shall superintend and direct the cleaning of all sewers and drains, and keep himself informed of the condition of all the public streets and highways, and also of all public buildings, parks, lots, sewers, levees, and grounds of the city, and report the same to the Board, and shall perform such other duties as are hereinafter specified, or as the Board may require of him, and he shall have the power and shall perform the duties required of the Superintendent of Streets by the Act of the Legislature of the State of California entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, or by any Acts amendatory thereof, supplementary thereto, or substituted therefor. He shall keep a public office in the city, as provided by the Board, and shall keep therein the records of his office and a register of all streets, alleys, sewers, and drains, and all improvements and repairs made thereon, with an index for easy reference. Should he fail to see the laws, ordinances, and regulations relating to the public streets and highways carried into execution, he and his sureties shall be liable upon his official bond to any person injured in person or property in consequence of said official neglect. All registers, records, books, contracts, plats, diagrams, and all papers and documents belonging to his office shall be delivered to his successor in office.

SEC. 65. All public work authorized by the Board to be done, and not within the provisions of the general law of the State of California operating thereon, shall be done under written contract, except as hereinafter provided. Before awarding any such contract for doing any work for the city, the Board shall cause notice to be posted conspicuously in its office and published not less than ten days, in a daily newspaper published in the city, inviting sealed proposals for the contemplated work; and in case the estimated cost of the work exceeds five thousand dollars, to be so posted and published for not less than twenty days, except that any repair or improvement not exceeding an estimated cost of one hundred dollars may be made by the Board under written contract, or otherwise, without advertising for sealed proposals; *provided, however*, that should there be imminent danger to the city from inundation the Board may, in its discretion, contract for the immediate repair of its levees without such notice, posting, or publication.

SEC. 66. All proposals shall be made upon printed forms to be prepared by the Board, and furnished gratuitously upon application. All proposals offered shall be accompanied by a check, certified by a responsible bank, payable to the order of the Clerk of the Board, for an amount not less than ten per cent of the aggregate of the proposal, and no proposal shall be considered unless accompanied by such check. No person, corporation, or firm shall be allowed to make, file, or be interested in more than one bid for the same work. If on the opening of said bids more than one bid appear in which the same person, corporation, or firm is interested, such bids shall be rejected.

SEC. 67. On the day and at the hour specified in said notice inviting sealed proposals the Board shall assemble and remain in session for at least one hour thereafter, and all bids shall be delivered to the Board by the bidder or his agent before the expiration of the hour named in the advertisement. No bid not so delivered to the Board shall be considered. Each bid as it shall be received shall be numbered and marked "Filed" by the City Clerk, and authenticated by his signature. At the expiration of the hour stated in the advertisement within which the bids will be received, the Board shall, in open session, open, examine, and publicly declare the same, and an abstract of each bid shall be recorded in the minutes of the Board by the Clerk. Before adjourning the Board shall compare the bids with the record made by the City Clerk, and shall, thereupon, at said time, or at such other time, not exceeding twenty days thereafter, as the Board may adjourn to, award the contract to the lowest bidder, except as otherwise herein provided. Notice of such award shall forthwith be posted for five days by the Clerk of the Board in some conspicuous place in the office of the Board. The Board may reject any and all bids, and must reject the bid of any party who has been delinquent or unfaithful in any former contract with the city, and all bids other than the lowest regular bid; and on accepting said lowest bid, shall thereupon return to the proper parties the checks corresponding to the bids rejected. If all the bids are rejected, the Board shall return all the checks to the proper parties, and again invite sealed proposals, as in the first instance. The check accompanying the accepted bid shall be held by the Clerk of the Board until the contract for doing said work, as hereinafter provided, has been entered into, whereupon said certified check shall be returned to said bidder. If said bidder fails or refuses to enter into the contract to do said work, as hereinafter provided, then the certified check accompanying his bid, and the amount therein mentioned, shall be forfeited to the city, and shall be collected and paid into the Street Fund. The Board shall have no power to relieve from or remit such forfeiture.

SEC. 68. If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or parties, for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void, and no recovery shall be had thereon, and the Board shall advertise for a new contract for said work.

SEC. 69. All contracts shall be drawn under the supervision of the City Attorney, and shall contain detailed specifications of the work to be done, the manner in which it shall be executed, and the quality of the materials to be used. No change or modifications in the plans or specifications shall be made after proposals for doing the work have been called for. Every contract entered into by the Board shall be signed by the President thereof, and by the other contracting party. All contracts shall be signed in duplicate, one of which, with specifications and drawings, if any, of the work to be done, and the materials to be furnished, shall be filed with the Board, and the other, with said specifications and drawings, shall be delivered to the contractor. At the same time with the execution of said contract, said contractor shall execute to said city, and deliver to the Clerk of the Board, a bond in the sum named in the notice for proposals, with two or more sufficient sureties, to be approved by the Board, or shall deposit with the City Clerk a certified check upon some solvent bank for said amount for the faithful performance of said contract. No surety on any bond shall be taken unless he be a resident and householder or freeholder within the State, and worth the sum specified in the bond over and above all his just debts and liabilities, exclusive of property exempt from execution; and each surety shall justify and make and sign an affidavit to that effect, of which affidavit a form shall be printed upon the bond. But when the amount specified in the bond exceeds three thousand dollars, and there are more than two sureties thereon, they may state in their affidavit that they are severally worth amounts less than that expressed in the bond if the whole amount be the equivalent of two sufficient sureties. The contract shall specify the time within which the work shall be commenced, and when to be completed, as was specified in the notice inviting proposals therefor. The Board may extend said time, but in no event for more than ninety days beyond the time originally fixed for its completion. In case of failure on the part of the contractor to complete his contract within the time fixed in the contract, or within such extension of said time as is herein provided, his contract shall be void, and the Board shall not pay or allow to him any compensation for any work done by him under said contract beyond such sum as, in the judgment of the Board, the work done is actually worth to the city, less the detriment suffered by the city by such loss of time in the completion of the work.

SEC. 70. The Board of Trustees is hereby authorized to adopt, establish, and maintain a system of levees, canals, and drainage, and to construct and maintain the works necessary thereto; and to repair, maintain, construct, and control all levees, canals, and other works necessary to the protection of the city. The Board of Trustees is hereby declared to be the legal representatives and successors of the Board of Supervisors of the County of Sacramento, and of the Board of Levee Commissioners of the City of Sacramento in all matters pertaining to the Sacramento Drainage Canal, and in all matters pertaining to any canal or drains for the drainage of the city, and in all matters pertaining to the levees in the city, and in all matters pertaining to all the levees, canals, and other works which said city has adopted or constructed, or shall hereafter adopt or construct, as part of its system of levees or drainage; and the Board of Trustees shall, in addition to the other powers granted to them, also have power to dredge, or in any other manner deemed expedient to keep clear the channels of the Sacramento and American Rivers adjacent

to the city, and to build any dam, boom, weir, wharf, jetty, or other works either in the county of Yolo or in the county of Sacramento, or in part in either of said counties, as in the opinion of said Board may be necessary to keep the channel of the Sacramento River, in front of the city, free and open for the navigation of first-class steamboats; and said Board may cut or dig any canal, ditch, slough, or outlet in either of said counties, and may use all other means and appliances whatever that may be necessary to keep the Sacramento River navigable in front of the city, to provide proper drainage for the city, and to guard any and all lands within said city from inundation. The purposes for which any and all the works in this section mentioned are, or are to be constructed, are hereby declared public uses, and the City of Sacramento is hereby authorized to proceed, at any time under the provisions of the statutes for that purpose, to condemn for such use any and all property necessary to the construction and maintenance of such works; *provided, however*, no system or plan for any of the work in this section authorized to be performed shall be adopted by said Board which will cost over twenty thousand dollars, unless such plan shall be first submitted to and ratified by a vote of the electors of said city; *and provided further*, that if any plan is adopted involving the expenditure of more than twenty thousand dollars, the money required to carry out such plan shall be raised either by the issuance of bonds or by direct taxation, as the electors at such election may determine.

SEC. 71. The City of Sacramento may make such contracts with any swamp land, levee, or reclamation district now in existence or hereafter to be formed, or with any person or body, politic or corporate, whereby each may be compelled to contribute its proper quota towards any works necessary to be constructed outside of said city. If any levee, or any system of drainage projected, constructed, maintained, or kept in repair by said city, shall be beneficial to any levee, swamp land, or reclamation district, such district shall contribute its just quota to the payment of the expense of such construction, maintenance, and repair. The amounts to be paid, respectively, by said city and said districts, shall be fixed by the agreement of the respective Boards of Trustees of said city and districts. In case the Boards of Trustees cannot agree, the Superior Court of said county must, on the petition of said city, appoint a commission of not more than three persons, who shall have power to determine: First—Whether the levee or drain is beneficial to such swamp land, reclamation, or levee district; and if so, then, Second—The proportion of the cost of constructing and maintaining such levee or drain which such district ought to pay. The proportion so fixed shall be conclusive on said city and district, and each must thereafter contribute to the construction, maintenance, and repair of such levee or drain in the proportion fixed by such commission.

ARTICLE VI.

REVENUE AND TAXATION.

SEC. 72. All property in the city, not exempt under the laws of the State or of the United States, except the property used exclusively for public schools, and such as may belong to the United States, the State, to Sacramento County, or to the city, is subject to taxation for municipal purposes. All taxable property must be assessed at its full cash value. Land and improvements thereon must be separately assessed. A mortgage, deed of trust, contract, or other obligation by which a debt is secured, shall, for the purposes of assessment and taxation, be deemed an interest in the property affected thereby. In case of debts so secured, the value of the property, less the value of the security, shall be assessed and taxed to the owner of the property, and the value of the security shall be assessed and taxed to the owner thereof, and the taxes so levied shall be a lien upon the property and security.

SEC. 73. The City Assessor must, between the first Mondays of March and July in each year, ascertain the names of all persons taxable, and of all property in the city subject to taxation, and must assess such property to the persons by whom it was owned or claimed, or in whose possession or control it was, at noon on the first Monday of March next preceding; but no mistake in the name of the owner or supposed owner shall render the assessment invalid. In assessing solvent credits not secured by mortgage or trust deed, a reduction therefrom shall be made of debts due to *bona fide* residents of the State. The Assessor shall have power to, and he must exact from, each person a statement in writing, under oath, setting forth specifically all the real and personal property owned by such person, or in his possession, or under his control, at noon on the first Monday in March. If any person, after demand made by the Assessor, neglects or refuses to give under oath the statement herein provided for, or to comply with the other requirements of this charter relating to assessments and taxation, the Assessor must make an estimate of the value of the property of such person, and the value so fixed by the Assessor shall not be reduced by the Board of Trustees.

SEC. 74. If the owner or claimant of any property, not listed by another person, is absent or unknown, the Assessor must make an estimate of the value of such property. If the name of the absent owner is known to the Assessor, the property must be assessed in his name; if unknown, the property must be assessed to "unknown owners."

SEC. 75. Any property willfully concealed, removed, transferred, or misrepresented by the owner thereof, to evade taxation, must, upon discovery, be assessed at not exceeding ten times its value, and the assessment so made must not be reduced by the Board of Trustees. Any property discovered by the Assessor to have escaped assessment for the last preceding year, if such property is owned or controlled by the same person who owned or controlled it for such preceding year, may be assessed at double its value.

SEC. 76. The City Assessor must prepare an assessment book, with appropriate headings, alphabetically arranged, in which must be listed all property within the city subject to taxation, which assessment book must be completed by the Assessor on or before the first Monday of July of each year. The Assessor shall also make a map book, showing a plan of the various blocks of the city, and mark thereon in each subdivision thereof the name of the person to whom it is assessed. As soon as completed, the assessment book, together with the map book and statements, must be delivered to the City Clerk, who must immediately give notice thereof, and of the time the Board of Trustees will meet to equalize assessments, by publication in a daily newspaper published in the city, and in the meantime the assessment book must remain in his office for the inspection of all persons interested.

SEC. 77. The Board of Trustees must meet on the first Monday in July of each year to examine the assessment book and equalize the assessments. It must continue in session for that purpose, from time to time, until the business of equalization is disposed of, but not later than the third Monday in July. The Board has power, after giving notice in such manner as it may by rule prescribe, to increase or lower the entire assessment roll, or any assessment contained therein, so as to equalize the assessment of property and make it conform to the true value of such property in money. No reduction must be made in the valuation of any property unless the party affected thereby, or his agent, files with the Board a written application therefor, verified by his oath, and showing the facts upon which such reduction is claimed. No reduction must be made unless such person, or his agent, attends and answers, under oath, all questions relating to the value of the property. The Board may subpoena such witnesses and hear such other evidence in relation to the matter as it may deem proper.

SEC. 78. During the session of the Board it may direct the Assessor to assess any taxable property that has escaped assessment, or to add to the amount, number, or quantity of property, when a false or incomplete list has been rendered, and to make and enter new assessments (at the same time canceling previous entries) when any assessment made by him is deemed by the Board so incomplete as to render doubtful the collection of the tax. The Clerk of the Board must record in a book kept for that purpose all changes, corrections, and orders made by the Board, and must enter upon the assessment book all changes and corrections so made, and must, on or before the first Monday in August, deliver the assessment book, so corrected, to the City Auditor.

SEC. 79. The City Auditor, as soon as the assessment book is delivered to him by the Clerk, must proceed to add up the valuations and enter the total valuation of each kind of property, and the total valuation of all property on the assessment book, and must, before the third Monday in August, report a statement thereof, in writing, to the Board of Trustees.

SEC. 80. The Mayor, City Collector, and City Auditor shall constitute a Board of Estimate, of which Board the Mayor shall be Chairman, and the Auditor shall be Secretary. It shall be the duty of said Board of Estimate, on or before the second Monday in August of each year, to prepare and transmit to the Board of Trustees, accompanied by estimates and reports from the various departments of the city government, an estimate of the probable necessities of the city government for the next ensuing fiscal year, giving the amount required to meet the sinking and interest funds for any and all valid outstanding debts, together with the amount needed for salaries and the probable wants of all the departments of the city government in detail, and showing specifically the necessities of each of the several specific funds to be provided for in the treasury. The estimate shall also show, as nearly as may be, what amount of income and revenue is likely to accrue to the treasury, and be collected, from fines, licenses, water rates, harbor dues, and all other sources of revenue, exclusive of taxes upon property, and shall give an estimate of what amount will be required to be levied and collected by tax upon all property in the city subject to taxation, in order to meet the necessities of such fiscal year. If such estimate shall show that an increased amount will be required in any specific fund over the amount required for such fund for the pending fiscal year, such estimate shall also state the reasons why such increase will be required. The salaries pertaining to the respective offices held by them shall be in full compensation for all services performed by the members of said Board of Estimate.

SEC. 81. The Board of Trustees shall establish a general fund, and may, also, before fixing the rate of the annual city tax by ordinance, establish such special and separate funds, representing the several funded obligations of the city, if any, and the several departments requiring municipal expenditure as may be necessary, which special funds shall not be diverted to any other purposes than that for which they have been specifically created, except of balances in excess at the end of the fiscal year.

SEC. 82. The Board of Trustees must, on or before the first Monday in September in each year, by ordinance, fix the rate of taxes to be levied, and levy the taxes for general municipal purposes upon all property subject to taxation in the city, and shall also, at the time of making such levy, levy such direct special taxes for the special and separate funds created or provided for as shall be necessary to raise sufficient revenue to carry on the various departments of the municipal government for the current fiscal year; *provided*, that the levy for the General Fund shall not exceed one dollar for each one hundred dollars upon the assessment book. Every tax has the effect of a judgment against the person, and every lien created by this charter has the effect of an execution levied against all property of the delinquent, and the judgment is not satisfied nor the lien removed until the taxes are paid or the property sold therefor. Every tax due upon personal property is a lien upon the real property of the owner thereof, from and after

twelve o'clock noon of the first Monday in March in each year. Every tax due upon real property is a lien against the property assessed; and every tax due upon improvements on real property assessed to others than the owner of the real property, is a lien upon the land and improvements, which several liens attach at twelve o'clock noon of the first Monday in March in each year.

SEC. 83. As soon as the Board of Trustees has fixed the rates of taxes for the year, the Auditor must compute and enter in a separate column in the assessment book the respective sums, in dollars and cents, rejecting the fractions of a cent, to be paid on the property therein enumerated, and foot up the columns showing the total amount of such taxes, and on or before the fourth Monday in September he must deliver said corrected and completed assessment book to the City Collector, and charge the Collector with the full amount of the taxes levied.

SEC. 84. Upon the receipt by him of the assessment book the Collector must publish, for at least five days, a notice in some daily newspaper published in the city, specifying:

First—That the taxes on all personal property secured by real property, and one half the taxes on all real property, will be due and payable at the office of the City Collector on the first Monday in October, and will be delinquent on the last Monday in November next thereafter, at six o'clock p. m., and that unless paid prior thereto fifteen per cent will be added to the amount thereof, and that if said one half be not paid before the last Monday in April next thereafter, at six o'clock p. m., an additional five per cent will be added thereto; that the remaining one half of the taxes on all real property will be payable on or after the first Monday in January next thereafter and will be delinquent on the last Monday in April next thereafter, at six o'clock p. m., and that unless paid prior thereto five per cent will be added to the amount thereof.

Second—That all taxes may be paid at the time the first installment is due and payable.

SEC. 85. The City Collector must mark the fact and date of payment, or partial payment, as the case may be, in the assessment book opposite the name of the person assessed. He must also give a receipt to the person making the payment.

SEC. 86. On the last Monday in November of each year, at six o'clock p. m., all taxes then unpaid, except the last installment of the real property taxes, are delinquent, and thereafter the Collector must collect an addition of fifteen per cent thereon; *provided*, that if they are not paid before the last Monday in April next succeeding, at six o'clock p. m., he shall also collect an additional five per cent thereon. On the last Monday in April of each year, at six o'clock p. m., all the unpaid portions of the remaining one half of the taxes on real property are delinquent, and thereafter the Collector must collect an addition of five per cent thereon; *provided, however*, that the entire tax on real property may be paid at the time the first installment is due; and *provided further*, that the taxes on all personal property, unsecured by real property, shall be due and payable immediately after the assessment of said personal property is made.

SEC. 87. On the third Monday in December of each year the City Collector must attend at the office of the Auditor with the assessment book, and the Auditor must carefully examine the same, and if satisfied that the statements there appearing of taxes due and unpaid are correct, he must foot up the amount of all taxes so due and unpaid, and must settle with him for the taxes paid, and require from him the Treasurer's receipt therefor.

SEC. 88. On the third Monday in May of each year the Collector must attend at the office of the Auditor, with the assessment book, and must furnish and deliver to the Auditor at said time a complete "delinquent list" of all persons and property then owing taxes, in which list must be set down in numerical or alphabetical order all matters and things contained in the assessment book and relating to delinquent persons or property. The Auditor must carefully compare the "delinquent list" with the assessment book, and if satisfied that it contains a full and true statement of all taxes due and unpaid, he must foot up the amount of taxes so remaining unpaid, and credit the Collector therewith, and must settle with him for the taxes and percentages therein collected since the December settlement, and require from him the Treasurer's receipt therefor. After such settlement with the Collector the Auditor must charge the Collector with the amount of taxes due on the "delinquent list," with five per cent added thereto, and within three days thereafter deliver said "delinquent list," duly certified, to such Collector.

SEC. 89. On or within five days before or after the first Monday of June of each year, the Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to the taxes on real estate, where the real estate is liable therefor, or the several taxes are due from the same person. The expense of the publication shall be a charge against the city. The Collector must append to and publish with the delinquent list a notice that unless the taxes delinquent, with the costs and percentages, are paid, the real property upon which such taxes are a lien will be sold at public auction, at a time and place designated in the notice. The time of sale must not be less than twenty-one nor more than twenty-eight days from the first publication, and the place of sale must be in front of the County Court-house of Sacramento County. The publication must be made once a week for three successive weeks in some daily newspaper, or supplement thereto, published in the city. A copy of the publication, with the affidavit of the Collector attached thereto that it is a true copy of the same, that the publication was made in a newspaper, or supplement thereto, published in the city, and the date of each appearance, shall be filed with the City Auditor, which affidavit shall be prima facie evidence of all the facts stated therein.

SEC. 90. The City Collector must collect, in addition to the taxes and percentages due on the delinquent list, fifty cents on each tract of land separately assessed, as costs for preparing the list.

SEC. 91. On the day fixed for the sale, or on some subsequent day, to which he may postpone it (of which he must give notice, by at least one publication in a daily newspaper published in this city), the Collector, between the hours of ten o'clock A. M. and three P. M., must sell at public auction the property advertised, commencing at the head of the list, and continuing in the order published until completed. He may postpone the day of commencing the sale, or the sale, from day to day, but the sale must be completed within three weeks from the day first fixed.

SEC. 92. The owner or person in possession of any real estate offered for sale for taxes due thereon, may designate, in writing, to the Collector, prior to the sale, what portion of the property he wishes sold, if less than the whole; but if he does not, then the Collector may designate it; and the person who will take the least quantity of the land, or in case an undivided interest is assessed, the smallest portion of the interest, and pay the taxes, percentages, and costs due, including fifty cents for the duplicate certificate of sale, shall be the purchaser. But in case there is no purchaser, in good faith, for the same, on the first day the property is offered for sale, then, when the property is offered thereafter for sale, and there is no purchaser in good faith for the same, the whole amount of property assessed shall be struck off to the City of Sacramento as the purchaser, and the duplicate certificate delivered to the City Treasurer, and filed by him in his office; and in such case the Collector shall make an entry, "sold to the city," on the assessment book, opposite the tax, and he shall be credited with the amount thereof in his settlement with the Auditor.

SEC. 93. If the purchaser does not pay the taxes, percentages, and costs before ten o'clock A. M. of the following day, the property, on the next sale day, before the regular sale, must be resold for the taxes and costs, and the bid of the person refusing to make payment shall not be received on the sale of any other property on the list.

SEC. 94. Before delivering any certificate of sale the Collector must enter in a book a description of the land sold, the date of sale, purchaser's name and amount paid, and regularly number the descriptions on the margin of the book, and put a corresponding number on each certificate, which book must be delivered to the Auditor. Such book must be open to public inspection, without fee, when not in actual use. After receiving the amount of taxes, percentages, and costs, the Collector must make out and sign, in duplicate, a certificate, dated on the day of sale, stating (when known) the name of the person assessed, a description of the land sold, the amount paid therefor, that it was sold for taxes, giving the amount and year of the assessment, the name of the purchaser, and specifying the time when the purchaser will be entitled to a deed. One copy of such certificate shall be delivered to the purchaser, and the other shall be filed in the office of the City Auditor; and upon the filing of such certificate the lien of the city vests in the purchaser, and is only divested by the payment to him, or to the City Treasurer, for his use, of the purchase money and fifty per cent thereon.

SEC. 95. Redemption of the property sold may be made by the owner or any party in interest within twelve months from the date of the sale. Redemption must be made in gold or silver coin, and when made to the Treasurer, he must credit the amount to the person named in the Collector's certificate, and pay it on demand to him or his assignee.

SEC. 96. On presentation of the receipt of the purchaser, or of the Treasurer for his use, of the total amount of redemption money, the Auditor must mark the word "redeemed," the date and by whom redeemed, on the certificate and in the margin of the book where the entry of the certificate is made.

SEC. 97. If the property is not redeemed, the Collector, or his successor in office, must make to the purchaser, or his assignee, a deed of the property, reciting in the deed substantially the matters contained in the certificate, and that no person has redeemed the property during the time allowed for its redemption. Such deed, duly acknowledged, is prima facie evidence of the regularity of all the proceedings had from the assessment by the Assessor up to and inclusive of the execution of the deed, and that the grantee named in the deed is owner of the property described therein. The deed conveys to the grantee the absolute title to the lands described therein as of the date of the expiration of the period of redemption free of all incumbrances, except the lien for taxes which may have attached subsequent to the sale. If property sold to the City of Sacramento for non-payment of taxes is not redeemed, the Collector, or his successor in office, must make to the city a deed of the property, the same as in the case of other purchasers; in such case the former owner may repurchase such property from the city at any time within three years next after the issuance of the deed, upon paying to the city five times the amount of the purchase price paid by the city therefor, together with any other taxes and assessments unpaid thereon, and in the event of such repurchase, the Mayor shall execute a deed at the expense of the purchaser, conveying to him the interest of the city in and to such property. If the property is not repurchased within three years, it shall, at such time as the Board of Trustees direct, be sold at auction to the highest bidder, after at least ten days' notice by publication in some daily newspaper of the city, and the proceeds of the sale shall belong to the city and be paid into the treasury.

SEC. 98. The City Collector shall, after the first Monday in February in each year, collect the taxes due on personal property, except where real estate is liable therefor, by seizure and sale at public auction of any personal property owned by the delinquent. The sale must be made, after five days' notice, given by publication, or by posting in three public places in the city, and must be of a sufficient amount to pay the taxes, per-

centages, and costs. For seizing or selling personal property, the Collector may charge in each case the sum of three dollars costs. On payment of the price bid, the delivery of the property, with a bill of sale, vests the title in the purchaser. All excess over the taxes, percentages, and costs of the proceeds of any property so sold must be returned to the owner, and until claimed must be deposited in the city treasury for his benefit. The unsold portions of the property seized may be left at the place of sale at the risk of the owner.

SEC. 99. The City Collector must, on the second Monday of July of each year, attend at the office of the City Auditor with the delinquent list, and the Auditor must then carefully compare the list with the assessments of persons and property not marked "paid" on the assessment book, and when taxes have been paid must note the fact in the appropriate column in the assessment book. The Auditor must then administer to the Collector an oath, to be written and subscribed on the delinquent list, that every person and all property assessed on the delinquent list, on which taxes have been paid, has been credited in the list with such payment, and that the taxes not marked "paid" have not been paid, and that the Collector has not been able to discover any property of the persons liable to pay the same out of which to make the collection. The Auditor must then foot up the amount of taxes unpaid, and credit the Collector therewith, and have a final settlement with him, and the delinquent list must remain on file in the Auditor's office. Interest must be collected on all such delinquent taxes at the rate of two per cent per month from the time delinquent until paid.

SEC. 100. Any taxes, percentages, or costs erroneously or illegally collected may, by order of the Board of Trustees, be refunded by the Treasurer.

SEC. 101. The City Assessor, between the first Monday in March and the first Monday in July in each year, must collect the taxes on all personal property. When the owner thereof has no real estate, or when, in his opinion, said taxes are not a lien on real property sufficient to secure the payment, he may enforce such collection by seizure and sale of any personal property owned by the person liable to pay the tax. Such seizure and sale shall be conducted in the same manner as provided to be done by the Collector by section ninety-eight hereof. The Assessor and Collector are governed, as to the amount of taxes so collected on personal property, by the rate of the previous year. When the rate is fixed for the year in which the collection is made, then if a sum in excess of the rate has been collected, the excess shall be repaid by the Treasurer to the person from whom it was collected, and if a sum less than the rate has been collected, the deficiency must be collected as are other taxes on personal property.

SEC. 102. The Assessor must settle with the City Treasurer, and pay into the treasury weekly the personal property taxes collected by him, and the Auditor must, as soon as the assessment book for the year comes into his hands, note opposite the name of each person from whom taxes have been so collected the amount thereof, and as soon as the rate for the year is fixed, he must also note on the assessment book, in connection with the previous entry, the amount of excess or deficiency.

SEC. 103. Omissions, errors, or defects of form in the assessment book, or in the delinquent list, may, with the written consent of the City Attorney, be supplied or corrected by the Assessor at any time prior to the sale for delinquent taxes. In the assessment, advertisement, and sale for taxes, initial letters, abbreviations, and figures may be made use of, and no assessment, or act relating to the assessment or collection of taxes, is illegal on account of informality, nor because the same was not completed within the time designated.

SEC. 104. All taxes assessed before this charter takes effect must be collected at the time provided for, and under the laws in force at the time the assessment was made, and all such taxes shall be valid and collectible the same as if this charter had not been adopted.

SEC. 105. Nothing in this charter shall ever be construed as permitting or authorizing any portion of the taxes levied and collected for the respective special funds, which the Board of Trustees are authorized to establish, to be made use of in payment of any indebtedness of the city which existed prior to January 1, 1888, nor shall the total amount of taxes collected and made use of in any one year in payment of any indebtedness of the city which existed prior to January 1, 1888, ever exceed fifty-five cents on each one hundred dollars upon the assessment book.

SEC. 106. Should the Board of Trustees at any time deem it necessary for the interest and protection of the city at large, or any portion thereof, or the property or health of the citizens thereof, or any other matter or thing, the object of which would be to advance the interest of the city, to contract and create any debts or obligations against the city for materials furnished and labor and services performed, without having the funds in the treasury to pay the same, the said Board may enter into contracts and create debts or obligations, without interest, and are hereby empowered and authorized to levy and collect a special tax, annually, or in one levy, to pay such debts and obligations so created, and provide the mode and manner of their payment; *provided*, that no such debts, obligations, or claims shall be contracted or created against the city, without first having been voted upon by the qualified electors thereof, unless expressly provided by this charter. Notice shall be given of such elections by publication for not less than two weeks theretofore, in some daily newspaper published in the city in which notice the contemplated repairs or improvements, and the cost or estimated cost of the same, and the manner it shall be paid for, shall be distinctly stated. If two thirds of the votes cast at such election be in favor of the proposition named, then the Board shall be authorized to proceed with the work and to create the liability against the city to the

extent so voted for. For all debts and obligations so contracted and created the said Board shall issue warrants therefor, under the seal of the city, and specifying therein the date of the election by which the issuance thereof was authorized, and the total amount of warrants then issued under and by virtue of such authority.

ARTICLE VII.

BONDED INDEBTEDNESS.

SEC. 107. The Board of Trustees may contract bonded indebtedness as follows: Said Board shall, by order duly passed, by yeas and nays, recorded in its journals of proceedings, specify the particular purpose for which the indebtedness is to be created, and the amount of bonds which is proposed to be issued. The Board shall then provide for submitting the question of the issue of said bonds to the qualified electors of the city at a special municipal election, to be called by the Board for that purpose, and it shall be held as nearly as possible in conformity with the general laws of this state. Notice shall be given of such election by publication, for three weeks next prior thereto, in some daily newspaper published in the city, in which notice the amount of such bonds proposed to be issued, the term of years to run, the object for which the indebtedness is to be created, and the rate of interest to be paid, shall be distinctly stated. The ballots shall be printed: "For the issue of bonds—yes;" "For the issue of bonds—no." If two thirds of the electors of the city so voting at such election shall vote in favor of issuing bonds, and not otherwise, the Board may proceed to issue the amount of bonds specified, in manner as follows: Said bonds to be in sums of not less than one hundred dollars, nor more than one thousand dollars each, having not more than forty years to run, and bearing interest at a rate per annum not exceeding six per cent, payable semi-annually, the said bonds to be payable and redeemable at any time at pleasure of the city, which said bonds shall be substantially in the following form:

No. _____.

The City of Sacramento, in the State of California, for value received promises to pay to _____ or order, at the office of the Treasurer of said city, on the first day of _____, in the year _____, or at any time before that date, at the pleasure of the city, the sum of _____ dollars, gold coin of the United States, with interest at the rate of _____ per cent per annum, payable at the office of said Treasurer semi-annually, on the first days of _____ and _____ in each year, on presentation and surrender of the interest coupons hereto attached.

In testimony whereof, the said city, by its Board of Trustees, has caused this bond to be signed by the Mayor of the city, countersigned by the President of the Board of Trustees, and attested by the City Auditor, with the corporate seal of said city hereto attached, this _____ day of _____ in the year _____.

[Corporate seal.]
Attest: _____, City Auditor.

_____, Mayor.
_____, President Board of Trustees.

And the interest coupons shall be in the form following, and signed by the City Auditor:

No. _____.

The Treasurer of the City of Sacramento, California, will pay to the holder hereof, on the _____ day of _____, in the year _____, at his office in said city, the sum of _____ dollars, gold coin, for interest on City Bond No. _____.

_____, City Auditor.

SEC. 108. Whenever bonds issued under this charter shall be duly executed, numbered consecutively, and sealed, they shall be delivered to the City Treasurer and his receipt taken therefor, and he shall stand charged on his official bond with all bonds delivered to him, and the proceeds thereof. The Treasurer shall then proceed to sell said bonds, for not less than par, together with any accumulated interest, under the direction of the Board of Trustees, and for the highest prices; and whenever said bonds, or any portion thereof, are sold, he shall report the fact to the Auditor, stating under oath to whom sold, and for what price, and the Auditor shall at once apportion the moneys arising from such sale to the proper fund in the Treasury, filing a statement of such apportionment with the Treasurer. The Board of Trustees shall have the power, and must create and name the fund or funds of the city into which the moneys arising from the sale of bonds shall be paid. And before or at the time of issuing said bonds, the Board of Trustees shall, by ordinance, provide for the levy and collection of a tax, to be levied and collected each year, at the same time and in the same manner as other city taxes, sufficient to pay the annual interest upon such bonds issued and outstanding, and not less than such proportionate part of the principal thereof as one year's time bears to the whole term for which such bonds are to run; and at or before the date of maturity of the bonds, the whole amount collected therefor shall be sufficient to discharge the whole amount of the principal and interest. And the Board must annually thereafter levy such tax, in sufficient amount to comply with the provisions of this section and the ordinance of the Board aforesaid; and the moneys arising from such levies shall be used for the payment of such bonds and interest coupons, and for no other purpose whatever. Whenever the amount in the hands of the Treasurer belonging to the Bond Fund, after setting aside the sum required to pay the interest maturing before the next

levy, is sufficient to redeem one or more such bonds, he shall publish, once a week for two weeks, in a daily newspaper published in the city, a notice to the effect that he is prepared to pay such bond or bonds (giving the number thereof), and that if same are not presented for redemption within thirty days after the first publication of such notice, the interest on such bonds will cease. He shall at the same time deposit in the Post Office a copy of such notice, inclosed in a sealed envelope, with the postage paid thereon, addressed to such owner or owners, as shown by the records thereof kept in the Treasurer's office. If such bond or bonds are not presented within the time specified in such notice, the interest thereon shall then cease, and the amount due be set aside for the payment of the same whenever presented. All redemptions of bonds shall be made according to priority in order of their issuance, beginning at the first number.

SEC. 109. The Board of Trustees, by a vote of not less than seven members thereof, may, whenever they deem it for the public interest, refund any outstanding bonded indebtedness of the city by the issue of other bonds, in such form and under such conditions as may be prescribed by general laws of the State of California in force at the time of such issue; *provided, however*, that such new bonds shall not bear a greater rate of interest than five per cent per annum.

ARTICLE VIII.

EDUCATIONAL DEPARTMENT.

SEC. 110. The government of the common schools of the city shall be vested in a Board of Education, to consist of nine members, to be called School Directors, and who shall receive no compensation. One School Director shall be elected from each ward. Their terms of office shall be four years. Of the members of the Board of Education first elected under this charter, the members from the Second, Fourth, Sixth, and Eighth Wards shall hold their office for four years, and the members from the First, Third, Fifth, Seventh, and Ninth Wards shall hold their office for only two years. At each election thereafter, members of the Board of Education shall be elected to succeed those whose terms are about to expire. No person shall be eligible to the office of School Director, unless he is at the time of his election a qualified elector of the ward from which he is elected.

SEC. 111. The Board of Education shall meet on the first Monday after the first day of January next after the election of its members shall have been officially declared, and organize by electing one of their number President, whose term of office as President shall be two years. The Board shall hold regular meetings at least once in each month, and at such times as shall be determined by its rules. Special meetings may be called at any time by the President, any three of the members, or by the Superintendent. Six members of the Board shall constitute a quorum for the transaction of business, and the affirmative vote of five members shall be necessary to pass any measure, but a smaller number may adjourn from time to time. The Board may determine the rules of its proceedings, and the yeas and nays shall be taken when demanded by any member and entered on the records of the Board. Its records shall be open to public inspection. The Mayor shall fill all vacancies occurring in the Board until the next regular municipal election. All meetings of the Board shall be public. All elections held by it shall be *viva voce*.

SEC. 112. The powers and duties of the Board of Education are as follows:

First—To establish and maintain common schools, which shall include high, grammar, primary, and kindergarten departments; to change, or consolidate the same; to manage and control the school property; to establish school districts, and to fix and alter the boundaries thereof.

Second—To employ, pay, and dismiss teachers, janitors, and such persons as may be necessary to carry into effect the powers and duties of the Board, and to fix, alter, allow, and order paid their salaries, or compensation, and to withhold, for good and sufficient cause, the whole, or any part of the salary, or wages, of any person, or persons, employed as aforesaid. There shall be an annual election for teachers, at such time as the Board may determine; *provided, however*, that no election or appointment of any teacher, janitor, or other employé shall constitute a contract, either as to the duration of the office, or as to the amount of salary, or compensation to be paid; but the Board shall always have the power to dismiss any or all teachers, janitors, or other employés, and to alter the amount of salary, or compensation.

Third—To make, establish, and enforce all necessary and proper rules and regulations for the government and progress of the common schools, and for the investigation of charges against any person in the employ of the department, and for carrying into effect the laws relating to education; also, to establish and regulate the grade of schools, and determine what text-books (in addition to those published by the State), course of study, and mode of instruction shall be used in said schools; but any text-book determined upon by the Board shall not be changed within a period of four years after its adoption.

Fourth—To provide for the School Department all necessary supplies, and incur such other incidental expenses as may be necessary for the welfare of the department.

Fifth—To build, alter, repair, rent, and provide school houses, and to furnish them with proper school furniture, apparatus, and appliances.

Sixth—To purchase, sell, or exchange school lots, and to take charge of any and all real estate and personal property that may have been acquired, or may hereafter be acquired, for the use and benefit of the common schools of the city; and to make, in the

name of the city, conveyances of property belonging to the city and sold by the Board of Education; *provided*, that no real estate shall be bought, sold, or exchanged without the consent of the Board of Trustees, evidenced by ordinance; *and provided further*, that the proceeds of any such sale or exchange of real estate shall be exclusively applied to the purchase of other lots, or the erection of school houses for the use of this department.

Seventh—To appoint School Census Marshals on or before the first day of May of each year, whose duties shall be as prescribed by general law.

Eighth—To sue in the name of the city for any and all property acquired or claimed for the use and benefit of the School Department, and to prosecute and defend all actions at law or in equity, necessary to recover and maintain the full enjoyment and possession of said property, and to require the services of the City Attorney in all such actions.

Ninth—To examine every demand payable out of the School Fund, and for good cause to reject any such demand, or to allow the same in whole or in part, and to compel the attendance of witnesses before the Board, or any committee thereof, in any matter under investigation.

Tenth—To discharge all legal incumbrances now existing, or which may hereafter exist, upon any school property.

Eleventh—To prohibit any child under six years of age from attending the common schools; *provided*, in kindergarten classes children of four years of age may be admitted, and to suspend or expel pupils for misconduct.

Twelfth—To dispose of and sell at public auction, upon not less than five days' notice by publication in a daily newspaper published in said city, such personal property as shall no longer be required by the department. All moneys realized from such sales shall be paid into the treasury to the credit of the School Fund.

Thirteenth—To receive and manage property or money acquired by devise, bequest, or donation in trust for the benefit of any school, educational purpose, or school property.

Fourteenth—To exclude from the schools and school libraries all books, publications, or papers of sectarian, partisan, or denominational character.

Fifteenth—To furnish books for the children of parents unable to furnish them. The books so furnished shall belong to the city, and shall be returned to the Superintendent at the close of each term.

Sixteenth—To make an annual report on or before the first day of July in each year to the County Superintendent of Schools, in the manner and form and on the blanks prescribed by the State Superintendent of Public Instruction.

Seventeenth—To make a report whenever required directly to the State Superintendent of Public Instruction of the text-books used in the city schools.

Eighteenth—Each member of the Board shall visit every school in the city at least once in each term, and examine carefully into its management, condition, and wants.

Nineteenth—It shall be the duty of the Board to prescribe a course of study that will fit and prepare the students therein to enter any of the departments of the University of the State of California. Such course shall be known as the High School course.

Twentieth—The Board may provide departments for the training of pupils in the industrial and mechanical arts and domestic and commercial vocations, and shall have power to furnish such departments with necessary tools, apparatus, and appliances.

Twenty-first—And generally to do and perform such other acts as may be required by general law applicable to the city, and as may be necessary and proper to carry into force and effect the powers conferred on said Board, and to increase the efficiency of the common schools in the city.

SEC. 113. The City Auditor and City Treasurer shall keep a City School Fund, into which shall be paid all the moneys appropriated to it under any law providing city school moneys, all moneys received from the State on account of the city's share of any apportionment of the State school moneys, and the city's portion of all county moneys collected or set apart for school purposes; and neither the Board of Trustees nor City Auditor shall allow any claim payable out of the City School Fund until after such claim shall have been audited and allowed by the Board of Education.

SEC. 114. The Board of Education shall annually, on or before the first Monday in August, make and report to the Board of Trustees a statement in detail of the receipts and expenditures for school purposes in the city during the year then last past, and shall at the same time make and furnish a detailed statement of the probable amount of money that will be required during the current year, and the purposes for which it is required, and also an estimate of the amount that will be received by the city from the State and county for school purposes. Upon receiving the estimate of moneys needed as provided herein, the Board of Trustees shall, at the time of levying other city taxes, levy a direct special school tax, which, after making proper allowance for delinquencies, will produce a sum that (taken with the estimated amount to be received from the State and county) will make the amount required by the Board of Education; *provided, however*, that the Board of Education shall not exact a levy to exceed twenty-five cents on the one hundred dollars, except upon affirmative vote of not less than seven members of said Board, and in any event the Board of Education shall not be authorized to exact a greater levy than thirty cents on the one hundred dollars. Nothing herein shall be construed as forbidding the Board of Trustees from levying a tax in excess of thirty cents on the one hundred dollars when in their judgment the same is required for the use of the Common School Department.

SEC. 115. Any member or officer of the Board of Education who shall, while in office, accept any donation or gratuity in money, or of any valuable thing, either directly or

indirectly, from any teacher, or candidate or applicant for a position as teacher, upon any pretense whatever, shall be guilty of a felony.

SEC. 116. Any School Director, officer, or other person connected with the School Department, or drawing a salary from the Board of Education, who shall be interested, either directly or indirectly, in, or who shall gain any advantage or benefit from any contract, payments under which are to be made in whole or in part of the moneys derived from the Common School Fund, or raised by taxation or otherwise for the support of the common schools, shall be guilty of a felony.

SEC. 117. In case of disaster from fire, riot, earthquake, or public enemy, the Board of Education may, with the approval of the Mayor and the Board of Trustees, incur extraordinary expenditures in excess of the annual limit provided by law and in this charter for the repair, construction, and furnishing of school houses; and the Board of Trustees may by ordinance cause to be transferred to the School Fund, from moneys in any other fund not otherwise appropriated, sufficient moneys to liquidate such extraordinary expenditure.

SUPERINTENDENT OF SCHOOLS.

SEC. 118. The Board of Education shall, within ninety days after the organization of the Board, succeeding each municipal election, elect a City Superintendent of Common Schools, who shall be a man of good moral character, not less than thirty years of age, and a practical educator. The term of office of the City Superintendent of Common Schools shall be two years, and until the election and qualification of his successor; *provided, however*, that he may be dismissed and his office declared vacant at any time by an affirmative vote of not less than seven members of the Board of Education. He shall devote his entire time to the duties of his office.

SEC. 119. The City Superintendent of Common Schools shall be the ministerial officer and Secretary of the Board of Education, and may explain his views, and make recommendations upon any subject-matter whatever under discussion or consideration by the Board; he shall keep a true record of the proceedings of the Board, and a correct account of all expenditures allowed by it, and for what purpose, so that he can at any time make an exhibit, in aggregate and detail, of the outlays for each school; he shall be general custodian of all property, books, papers, and documents belonging to the Board, and shall have a general supervision over school houses and school property, and see that they are not wasted, injured, or destroyed; he shall grade the classes in the schools, and classify the pupils as to the grade of the school they shall attend, and, in connection with the teacher, as to which class or classes in such school, and shall issue all necessary permits for such attendance; *provided, however*, that no pupil shall be allowed to attend any public school in the city until the Superintendent shall be first satisfied that such child has been duly vaccinated; he shall from time to time recommend to the Board such alterations, additions, and changes in the grade of schools, course of study, text-books, and such other matters and things as he deems proper; he shall, in June of each year, make to the Board a full and detailed report of the progress of the schools since the last annual report, their present condition, the condition of the houses, lots, and furniture, the number of pupils taught in each—the kindergarten, primary, grammar, and high schools—and the cost per pupil, including all ordinary expenses, the amount paid, respectively, for teachers, rents, repairs, lands, buildings, fuel, furniture, stationery, etc.; he may suspend or expel any pupil for misconduct or violation of rules, reporting such suspension or expulsion to the Board at its next meeting; *provided, however*, any party feeling aggrieved may appeal from the decision of the Superintendent to the Board, which may confirm or reverse his action; he shall have a general supervision and control of the teachers, and shall report to the Board any misconduct, want of ability, negligence or inattention on the part of any of them; and he may suspend any teacher for such want of ability, negligence, inattention, or misconduct, and shall report such suspension to the Board at the next meeting thereof for final action; he shall have power to assign the teachers to such classes as in his judgment shall be to the best interest of the schools; *provided*, that in the high and grammar schools such assignments shall be made with the consent and advice of the Principals of such schools; and *provided*, that by a vote of six members the Board of Education may change any such assignment; he shall see that none but authorized text-books are used, and that teachers and pupils faithfully perform their respective duties; and he shall do and perform such other duties, matters, and things as may be required of or imposed on him by the Board of Education. The Superintendent of Schools shall be allowed a clerk, to be appointed by himself.

SEC. 120. Whenever additional teachers are required to fill vacancies or to take charge of newly established classes, such teachers shall be appointed by the Board for six months, unless such appointment is sooner revoked by the Board. At the expiration of the period of appointment, the Board shall proceed to elect such appointed person or persons to the position, subject to subdivision second of section one hundred and twelve; *provided*, that such teacher presents to the Board a certificate of success, signed by the City Superintendent of Common Schools. But if such appointee fails to present such certificate to the Board, his or her position shall be declared vacant, and a new appointment shall be made in like manner.

SEC. 121. The City Superintendent of Schools, and each member of the Board of Education, shall have power to administer oaths and affirmations in all matters connected with the department.

SEC. 122. The Board of Education shall provide the City Superintendent of Common Schools with a suitable office, which shall be kept open to the public.

ARTICLE IX.

POLICE DEPARTMENT.

SEC. 123. There shall be a Chief of Police, who shall be a qualified elector of the city, not less than twenty-five years of age, and who shall be appointed by the Mayor, by and with the consent of the Board of Trustees, and his term of office shall be two years, and until his successor shall be appointed, confirmed, and qualified.

SEC. 124. The Chief of Police shall have command and control of the police force, subject to the general supervision of the Mayor. He shall have power to suspend any policeman for disobedience of any lawful order, for the violation of the rules of the department, neglect of duty, drunkenness, or misconduct as a policeman; and he shall, upon suspending a policeman, promptly certify the fact, with the cause thereof, to the Mayor, who shall forthwith report the same, in writing, together with the charges preferred against such policeman, to the Board of Trustees, and if such policeman be found guilty by the Board, he shall be dismissed from the police force.

SEC. 125. The Chief of Police shall observe, and cause to be observed and enforced, all laws and ordinances within the city, and shall see that all lawful orders and process of the Board of Trustees, Police Court, and Justices' Courts within the city are promptly executed. For the suppression of any riot, public tumult, disturbance of the peace, unlawful assembly, organized resistance to the laws, or public authorities in the performance of their duties, or in arresting persons for public offenses, he shall have the powers that are or may be hereafter conferred upon Sheriffs by any law, and all his lawful orders shall be promptly executed by the police officers. In addition to the powers and duties herein enumerated, the Chief of Police shall have such other powers, and perform such other duties pertaining to the Police Department, as may from time to time be conferred or imposed upon him by ordinance.

SEC. 126. The Chief of Police shall keep a public office, to be provided by the Board of Trustees, which office shall be kept open, and at which he, or a police officer designated by him, shall be in attendance at all hours, day and night. The Chief of Police shall devote his entire time to the discharge of the duties of his office, and shall not absent himself from the city without urgent necessity, unless in pursuit of persons who have committed public offenses within the limits of the city. If such absence from the city be upon any other than business immediately connected with his office, except on vacation (and then only by written consent of the Mayor filed with the City Clerk), he shall forfeit his salary for the time of such absence, and the proper amount shall be deducted from his next salary warrant by the City Auditor. He shall designate one of the policemen to attend constantly upon the Police Court, and to execute the orders and process thereof, but any policeman shall have authority to execute the orders and process of the Police Court and of the Court of the City Justice of the Peace.

SEC. 127. There shall be a Captain of Police, selected from among the police force by the Mayor, by and with the consent of the Board of Trustees, and who, in the absence of the Chief of Police, shall have command and control of the police force, and who shall perform such other duties and have such other powers pertaining to the Police Department as shall be required of him by the Chief of Police, or from time to time be imposed or conferred on him by ordinance of the Board of Trustees. The term of office of the Captain of Police shall be two years, and until his successor shall be appointed, confirmed, and qualified.

SEC. 128. In addition to the Chief and Captain of Police there shall be a permanent police force, which shall consist of such number of policemen, not less than fifteen and not exceeding one for every one thousand inhabitants, as the Board of Trustees shall from time to time by ordinance authorize to be appointed. The policemen shall be appointed by the Mayor, by and with the consent of the Board of Trustees, and shall hold office during good behavior, unless removed for cause or for the improvement of the public service, as in this charter provided. The Chief of Police shall appoint from the police force a day and night jailer, who shall be termed Sergeants of Police. No person shall be appointed to any position on the police force of the city unless he shall be a man of good moral character and of good repute for honesty and sobriety, a citizen of the United States, and a resident and elector of the city for at least one year next preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in health, strength, or courage, and, except those in service on the police force at the time this charter takes effect, every appointee hereafter shall be not less than twenty-five years or more than forty-five years of age, and must, before being appointed, present to the Mayor a certificate from the City Physician that the applicant is in sound health and free from any physical disability that would incapacitate him for the duties of a policeman.

SEC. 129. Whenever the Board of Trustees shall deem it expedient, a patrol system may be provided for the use of the Police Department, which system shall include horses, wagons, and all electric or other appliances necessary for the operation of such system.

SEC. 130. Except as otherwise in this charter prescribed, the Mayor, in making appointments of members of the police force, shall be guided solely by the fitness of the applicant, and no person shall ever be appointed to or removed from the police force for or on account of partisanship, or for or on account of his political opinions. No member of the Police Department shall take any part whatever in any political caucus

or convention, nor be a member of any political club, or committee, or take any part in any general or primary election, except to vote; and any officer, member, or employé in said department violating any of the provisions of this section shall forfeit his position.

SEC. 131. No member of the police force shall be allowed to receive any money, gratuity, or compensation for any services he may render as an officer, except rewards which have been publicly offered for the apprehension and conviction of criminals, without the written consent of the Mayor first filed with the City Clerk; and any member of the police force who shall violate this provision shall be at once removed from office. The members of the police force shall not follow any other profession, calling, or business, but shall devote their entire time to the performance of their official duties, nor shall they be allowed pay for any period during which they shall absent themselves from public duty, except for the yearly vacation provided for by general law.

SEC. 132. The members of the police force shall promptly and fully obey, enforce, observe, and cause to be obeyed and enforced, all lawful orders of their superiors, and all rules and regulations of the Police Department. They shall be prompt and diligent in the detection of crime, the arrest of public offenders, with or without a warrant, the suppression of all riots, affrays, and disturbances of the peace, in the abatement of public nuisances, and the enforcement of the laws and city ordinances. It shall be the duty of each member of the police force to acquaint himself with the provisions of this charter, with all ordinances of the city, and with all laws of the State defining public offenses and regulating criminal proceedings.

SEC. 133. Whenever the Board of Trustees by resolution shall so direct, there shall be appointed by the Mayor, by and with the consent of the Board of Trustees, two policemen in each ward of the city, who shall be known as extra policemen. Such extra policemen shall be resident electors of the ward for which they are appointed, and be employed therein in some regular and steady occupation. Such extra policemen shall at all times be diligent in preventing and suppressing disturbances of the peace and in arresting public offenders, with or without warrant, and they shall, whenever called upon, aid the Chief and regular police officers in making arrests and quelling disturbances. They shall be under general control of the Chief of Police, and shall report their acts to him, but shall not be assigned to regular service, nor be required to do regular patrol duty. Such extra policemen shall hold office during the pleasure of the Board, and shall each receive at the rate of one hundred dollars a year for their services. No extra policeman shall act as a special policeman, nor shall he be permitted to ask or receive any pay or compensation, from any source, for his services as policeman, other than the pay herein provided for.

SEC. 134. In addition to the regular and extra police force, the Mayor may at times when very large numbers of people, in addition to the permanent inhabitants, congregate in the city, appoint not to exceed fifteen special policemen to serve not to exceed two weeks, who shall receive the same compensation for their services as is paid to regular policemen. The Mayor may also, by and with the consent of the Board of Trustees, upon the petition of any person, firm, or corporation, appoint at any time a special policeman for special service, to be paid for by such person, firm, or corporation; *provided, however*, that the locality where such special policeman is to act shall be described in the warrant of appointment; *and provided further*, that no such appointment shall be made until the Board of Trustees, by affirmative vote of at least six members, authorize the appointment of a special policeman for such locality. The policeman so appointed shall not receive any pay from the city. All special policemen shall possess all the powers and discharge all the duties of regular policemen, and be under the direction and control of the Chief of Police, and be subject to and obey all rules and regulations of the Police Department. The term of office of any special policeman shall not extend beyond one year, nor shall such special policeman continue to act as such for a longer period than one year, unless reappointed.

SEC. 135. The Board of Trustees shall prescribe the badge of office and uniform to be worn by the members of the police force.

ARTICLE X.

FIRE DEPARTMENT.

SEC. 136. The Mayor shall have supervision over the Fire Department, and shall appoint, by and with the consent of the Board of Trustees, a Chief Engineer, Assistant Chief Engineer, Superintendent of the Fire Alarm System, Engineers of Steam Fire Engines, Drivers, Hosemen, and all other officers, members, and employés of the Fire Department, and all officers and members shall retain their positions during good behavior, unless removed for cause, or for the improvement of the public service, as in this charter provided. No person shall be appointed to any position in the Fire Department unless he be a man of good moral character, and of good repute for honesty and sobriety, a citizen of the United States, and a resident of the city for at least two years next preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in strength, activity, and intrepidity; and, except those in service in the Fire Department at the time this charter takes effect, every appointee hereafter shall be not less than twenty-one years or more than forty years of age, and must, before being appointed, present to the Mayor a certificate from the City

Physician that the applicant is in sound health and free from any physical disability that would unfit him for such position.

SEC. 137. The Mayor, in making appointment of officers, members, or employés of the Fire Department, shall be guided solely by the fitness of the applicant, and no person shall ever be appointed to, or removed from, any position in the Fire Department for or on account of partisanship, or for or on account of his political opinions.

SEC. 138. The Mayor shall exercise general supervision over the Fire Department, and see that the officers, members, and employés faithfully discharge their duties, and that the laws, ordinances, rules, and regulations relating thereto are carried into effect; report to the Board of Trustees any inefficiency, neglect of duty, or misconduct on the part of any officer, member, or employé in the department that may come to his knowledge; and he shall recommend to the Board the adoption of such ordinances, rules, and regulations as may be calculated to secure greater safety to life and property, and improve the discipline and efficiency of the Fire Department.

SEC. 139. The Board of Trustees shall have full power and authority over the organization, government, and discipline of the Fire Department, prescribe the duties of the officers, members, and employés; prescribe the uniform and badge of office to be worn by them, and shall have control of all property and equipments pertaining to or belonging to the Fire Department. The said Board shall make all rules and regulations necessary to secure discipline and efficiency in the Fire Department, and any officer, member, or employé in said department guilty of violation of such rules and regulations, neglect of duty, disobedience of orders, absence without leave, or conduct injurious to the public peace or welfare, immoral conduct, or breach of discipline, shall be liable to punishment by reprimand, dismissal from the department, forfeiture of pay, or the withholding thereof, when found guilty of the offense charged, by the Board of Trustees, upon a trial held for that purpose; *provided*, that not more than thirty days' pay shall be forfeited or withheld for one offense; and *provided further*, that by affirmative vote of seven members of the Board of Trustees, any officer, member, or employé of the Fire Department may be dismissed at any time, without trial, when, in the judgment of said Board, the public service or efficiency of the department will be improved thereby.

SEC. 140. No officer, member, or employé in the Fire Department shall take any part whatever in any political caucus or convention, nor be a member of any political club, or committee, or take any part in any general or primary election, except to vote; and any officer, member, or employé in said department violating any of the provisions of this section shall forfeit his position.

SEC. 141. The Chief Engineer shall be the executive officer of the Fire Department, and it shall be his duty and that of the Assistant Chief Engineer to see that the laws, orders, rules, regulations, and ordinances concerning the department are observed and carried into effect, and he shall also attend to such duties as Fire Warden, as may be prescribed by the Board of Trustees, and see that all laws, orders, regulations, and ordinances to secure protection against fire are enforced.

SEC. 142. The Chief Engineer shall be responsible for the discipline of all officers, members, or employés of the Fire Department, and may suspend any officer, member, or employé for incompetency, insubordination, misconduct, or for any violation of the rules and regulations of said department, and shall, upon such suspension, promptly certify the fact, with the cause thereof, in writing, to the Mayor, who shall forthwith, in writing, report the same, together with the charge preferred, to the Board of Trustees for their action.

SEC. 143. The Chief Engineer shall diligently observe the condition and workings of all the apparatus in use by the department, and report thereon, in writing, at least once in each month to the Board of Trustees, and make such recommendations or suggestions relative thereto as may to him seem proper or necessary.

SEC. 144. The Chief Engineer shall make an annual report, in writing, to the Board of Trustees, on or before the first Monday in August of each year, showing in detail the cost of maintenance and operation of the department, with the casualties, fatalities, and conflagrations which have occurred, and a statement of supplies and apparatus received during the year past, and an inventory of all property of whatever kind and nature remaining and belonging to the department, and the condition thereof, together with a list of the probable supplies needed by the department, and an estimate of the amount of money necessary to meet the expenses of the Fire Department during the ensuing year, together with such suggestions and recommendations as may seem to him proper or expedient for the welfare and efficiency of said department.

SEC. 145. The Board of Trustees shall furnish the Chief Engineer with a horse and buggy, and provide for keeping the same.

SEC. 146. In the absence or inability of the Chief, the Assistant Chief Engineer shall attend to and perform all the duties of the Chief Engineer. The Assistant Chief Engineer shall have charge of the Corporation House and custody of all apparatus, appurtenances, and supplies kept therein, and shall receipt for every article received, and keep a record of the same in a proper book to be kept for that purpose; and shall take a receipt for every article delivered by him to the department, and make a written report to the Chief Engineer once each month, or oftener if required, showing in detail such receipts and deliveries, and shall do and perform such other duties as pertain to his office. No article whatever shall be delivered from the Corporation House to any officer, member, or employé except upon an order signed by the Chief Engineer.

SEC. 147. The Chief and the Assistant Chief Engineer, while in the discharge of their duties, shall be vested with all the powers of arrest and detention vested in police officers.

SEC. 148. The Chief, or in his absence the Assistant Chief Engineer, may, during a conflagration, cause to be cut down or otherwise removed any building or structure when necessary for the purpose of checking such conflagration.

SEC. 149. Until otherwise provided by the Board of Trustees, there shall be attached to the Fire Department three steam fire engine companies, each to consist of one foreman, one assistant foreman, one engineer, one driver of engine, one driver of hose cart, and eight hosemen; also, one hook and ladder company, to consist of one foreman, one driver, one tillerman, and five hook and ladder men; also, a fire alarm system, to be under the immediate charge of a Superintendent. Nothing in this section shall be so construed as fixing permanently the number of men comprising each company, but the same may be increased or diminished at any time, and may apply to one only or to all the companies in the department, at the pleasure of the Board of Trustees.

SEC. 150. The Chief and Assistant Chief Engineer shall devote their entire time to the Fire Department, and shall not engage in any other occupation or business requiring their personal attention; and neither shall absent himself from the city without first obtaining permission from the Mayor, in writing, which permit must be filed with the City Clerk; and in no case shall both the Chief and Assistant be absent at the same time; and it is further provided, that the engineers of steam fire engines and the drivers thereof, also the drivers of the hose carts and hook and ladder trucks, and tillermen, together with such other members or employes as the Board of Trustees may from time to time designate, shall devote their entire time to the duties of the department, and shall at all times, day and night, remain at the engine houses or stations, except when granted a leave of absence by the Chief Engineer.

SEC. 151. There shall be provided suitable sleeping-rooms in the several engine houses for the use of the permanent members of the department; and there shall be a general office in one of the department buildings, where the Chief and Assistant Chief Engineer and Superintendent of the Fire Alarm System shall make their headquarters daily during office hours, when not otherwise engaged in official duties.

SEC. 152. There shall also be attached to the Fire Department a fire-alarm system, which shall be under the immediate charge of a Superintendent, who shall devote his entire time to the duties of his office. It shall be his duty to report to the Chief Engineer in writing, at least once each month, the condition and workings of the system, and at any time, when such system is not in perfect working order, the Chief Engineer must be immediately and fully advised thereof. The Superintendent shall make such other reports and perform such other duties as may from time to time be prescribed by the Board of Trustees. All electric light or power, telegraph or telephone wires, erected or maintained in this city, shall be subject to the supervision and inspection of said Superintendent, and shall be located, laid, erected, and maintained only in such manner as may be approved by him, and so as not to endanger or interfere with the wires or apparatus of the fire-alarm system.

SEC. 153. The Board of Trustees may, by ordinance, and upon the recommendation of the Chief Engineer, enlarge the Fire Department, by the purchase of chemical, electrical, steam, or other engines, hook and ladder truck, hose carts, horses, hose, and other appurtenances or apparatus; purchase or erect other and necessary buildings; extend the fire-alarm system, and increase the number of companies, officers, members, and employes at any time, when in the judgment of said Board greater security against fire, loss of life, and property demand it.

SEC. 154. Every claim against the Fire Department must first be certified to by the Chief Engineer before being presented to the Board of Trustees for approval. The monthly payroll of the department shall be made up by the Chief, certified to by him, and presented to the City Auditor, who shall verify the same before passing it to said Board for approval.

ARTICLE XI.

WATERWORKS DEPARTMENT.

SEC. 155. The Mayor shall exercise general supervision over the Waterworks Department, and see that all employes in the department faithfully discharge their duties, and that the laws, ordinances, rules, and regulations relating thereto are observed. The Mayor shall appoint, by and with the consent of the Board of Trustees, a City Tapper, Assistant City Tapper, Chief Engineer, First Assistant Engineer, second Assistant Engineer, three firemen, and such other employes as may be necessary to carry on the work of the department in an efficient manner. And all persons appointed to positions of a permanent character in the Waterworks Department shall retain such positions during good behavior, unless removed for cause, or for the improvement of the public service, as in this charter provided.

SEC. 156. No person shall be appointed to any position in the Waterworks Department unless he be a man of good moral character, and of good repute for honesty and sobriety, a citizen of the United States, and a resident and elector of the city for at least two years next preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in health, strength, or activity.

SEC. 157. The Mayor, in making appointment of Engineers, or other employes of the Waterworks Department, shall be guided solely by the fitness of the applicant; and no person shall be appointed to, or removed from any position in said department for or on account of partisanship or his political opinions.

SEC. 158. No employé in the Waterworks Department shall take any part whatever in any political caucus, or convention, nor be a member of any political club, or committee, or take any part in any general or primary election, except to vote; and any employé in said department violating any of the provisions of this section shall forfeit his position.

SEC. 159. The Board of Trustees shall have full power and authority over the organization, government, and discipline of the Waterworks Department, and shall have control of the waterworks and all other property pertaining or belonging thereto.

SEC. 160. The Board of Trustees shall make such rules and regulations as may be necessary to secure efficiency in the Waterworks Department; and any employé guilty of violation of such rules and regulations, neglect of duty, or disobedience of orders, shall be liable to suspension, without pay, or dismissal from the department, when found guilty by the Board of Trustees of the offense charged, upon a trial held for that purpose.

SEC. 161. The City Tapper shall, under control of the Board of Trustees, have charge of all water mains and pipes, stand pipes, tanks, gates, valves, fire hydrants, and taps, and shall supervise the laying, changing, or removal of all water mains, putting in taps, flushing hydrants and sewers, and shall perform such other duties as may from time to time be prescribed by the Board of Trustees. He shall keep a correct record of all alterations or additions made to the main pipes, gates, valves, taps, and fire hydrants, and all labor performed under his direction; and account for all material and tools received or used in his department, and make a written report covering same to the Board of Trustees on or before the eighth day of each month, together with such recommendations as to him may seem to be in the interest of the public service. He shall examine all claims against the city for material or tools used in his department, and said claims shall be first certified to by him before being presented to the Board of Trustees for approval. He shall make up the monthly payroll of his department, certify to same, and present it to the City Auditor, who shall verify the same before passing it to the said Board for approval.

SEC. 162. The Assistant City Tapper shall be under the control and direction of the City Tapper, and shall do and perform such duties as may be assigned to him, and assist the City Tapper in the performance of his duties; and in the absence or inability of the City Tapper, the assistant shall perform all the duties of this special department.

SEC. 163. The Board of Trustees shall cause to be made, provided the same does not exist at the time this charter takes effect, a complete and comprehensive map or chart of the city water-pipe system, showing the location of every main, lateral, and size of such main or lateral pipe, fire hydrant, house tap, air valve, blow-off, and other important features. Said map or chart shall be kept up, and made to show all the extensions, additions, or alterations made from time to time in the system. Said map or chart shall be carefully preserved, and be kept in the office of the Superintendent of Streets.

SEC. 164. The Board of Trustees shall furnish a horse and wagon for the use of the City Tapper, and provide for keeping the same.

SEC. 165. The Chief Engineer of the Waterworks and the First and Second Assistant Engineers shall be thorough engineers, with a practical knowledge of condensing engines and hydraulics.

SEC. 166. The Chief Engineer shall devote his entire time to the duties of the Waterworks Department, and shall not engage in any other occupation or business requiring his personal attention, nor absent himself from the city without first obtaining permission from the Mayor, in writing, which permit must be filed with the City Clerk. He shall have charge of all the engines, boilers, pumps, and steam-pipes of the city, and shall be responsible for their good and serviceable condition, and the maintenance of a supply of water in the city. He shall prescribe the duties of the assistant engineers, firemen, and all other employés in his department, and shall be responsible for the faithful performance of the respective duties assigned to them. The Chief Engineer shall report, in writing, to the Mayor any carelessness, disobedience, inefficiency, or inebriety on the part of any employé in the department, and may suspend any employé guilty of such misconduct or inefficiency, and shall immediately report, in writing, to the Mayor, any such suspension, together with the facts in connection therewith; and the Mayor will at once submit the same to the Board of Trustees for their action. The Chief Engineer shall keep a correct record of the service performed by the pumping machinery, the amount of fuel consumed, cost of supplies, repairs, and improvements, and report the same, in writing, on or before the eighth day of each month, to the Board of Trustees, and may add such suggestions and recommendations as may to him seem proper. The Chief Engineer shall examine all claims against his department, and said claims shall be certified to by him before being presented to the Board of Trustees for approval; and he shall make up the monthly payroll of his department, certify to the same, and present it to the City Auditor, who shall verify the same before passing it to said Board for approval.

SEC. 167. The assistant engineers shall perform such duties as may be required of them by the Chief Engineer; and they shall be responsible to him for the acts of any employé that may be under their supervision, and shall report to the Chief any misconduct on the part of such employé. In the absence or inability of the Chief Engineer, the First Assistant Engineer shall, under the direction of the Mayor, assume the duties of the Chief.

CITY WATER ASSESSOR.

SEC. 168. The Mayor, by and with the consent of the Board of Trustees, shall each year appoint a City Water Assessor, who shall be a resident and elector of the city for at least two years next preceding his appointment. Said City Water Assessor shall, within ten days after his appointment, qualify and enter upon the discharge of the duties of his office. It shall be his duty to diligently and accurately ascertain the respective sums properly collectible for the use of city water from the several water takers, according to the rates established by the ordinance for that purpose then in force, and report the same to the City Collector, who shall accept such report as the minimum sums to be collected, and make collections of water rates accordingly, and shall not have power to make reductions from the sums so reported, but may collect a greater sum whenever he shall discover that any sum so fixed is less than is properly collectible. Nor shall any reduction be made in any of the amounts to be collected as reported by the City Water Assessor, unless by order of the Board of Trustees. If the sum to be collected from any water taker has not been reported by the City Water Assessor, the City Collector shall collect in such case the proper amount for water rates in accordance with the ordinance, the same as if it had been reported by the City Water Assessor.

ARTICLE XII.

HEALTH DEPARTMENT.

SEC. 169. There shall be a Health Department, under the management of the Board of Health. Said Board shall consist of five members, who shall be appointed by the Mayor, by and with the consent of the Board of Trustees. The President of the Board of Trustees shall be ex officio the President of the Board of Health, but without the right to vote, except in case of a tie, when he shall have the right to vote. Each member shall be a duly licensed physician in accordance with the laws of the State, and a qualified elector of the city for not less than two years. Those first appointed shall so classify themselves by lot that one shall go out of office at the end of one year, one at the end of two years, one at the end of three years, and two at the end of four years. They shall receive no compensation for their services, and their term of office shall be four years.

SEC. 170. Regular meetings of the Board of Health shall be held once a month, and special meetings when called by the President or any three members, and all meetings shall be public. Three members shall constitute a quorum for the transaction of any business.

SEC. 171. Said Board of Health shall have supervision of all matters appertaining to the sanitary condition of the city and public institutions thereof, and full powers are hereby given to said Board over all questions of foul or defective drainage, and of the disinfection and sanitary cleaning of streets, alleys, cellars, cesspools, sewers, or nuisances of any description, and of low places within the city limits calculated to receive and retain unhealthy deposits.

SEC. 172. The Board of Health shall exercise a general supervision over and be the custodian of all the death and cemetery records now belonging to the city, and they shall cause to be kept in books, prepared for the purpose, complete records of all deaths, interments in all the city cemeteries, and births occurring in said city. They shall adopt such forms and regulations for the use of physicians, undertakers, and superintendents of Cemeteries as in their judgment may be best calculated to secure reliable vital and mortality statistics in said city, and prevent the spread of contagious and infectious diseases. They shall have power to prevent or forbid communication with infected families or houses, and by the consent of the Mayor may establish a pesthouse, and provide the necessary attendants and supplies therefor.

SEC. 173. The Board of Trustees of the City of Sacramento shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the Board of Health may from time to time adopt, and all expenses necessarily incurred by the Board of Health in carrying out the provisions of law and of this charter shall be provided for by the Board of Trustees, who are hereby authorized and directed to make an appropriation therefor out of the General Fund.

SEC. 174. The Board of Health, within two weeks from the time of its organization, shall elect a City Physician, who shall also act as Health Officer and Secretary of the Board of Health. Said City Physician shall not be a member of the Board of Health, and shall be an elector of the city, not less than thirty years of age, a licensed physician of not less than two years, and actually engaged in the practice of his profession therein. He shall hold his office during the pleasure of the Board of Health, and must see that the laws and ordinances of the city in relation to the public health, and the regulations and orders of the Board of Health, are properly enforced. He shall keep a full record of all the transactions of the Board of Health, as well as all records appertaining thereto; and by himself or his deputy issue all permits for burials or removals in any of the cemeteries belonging to the city, and no interments shall be made therein unless said Health Officer is satisfied of the correctness and reliability of the certificate of death presented for his inspection. He shall have the powers of a police officer, and shall make an extended annual report to the Board of Health of the affairs pertaining to his office, including mortuary and other statistics, with such observations and recommendations in relation to the sanitary condition of the city as he may deem proper.

SEC. 175. The City Physician shall attend, when called upon, the indigent sick or wounded in the city, and shall have charge of any receiving hospital or dispensary established for the benefit of the sick poor, and, when deemed necessary by the Board of Health, he may employ a nurse to assist him in the care of the indigent sick or wounded.

SEC. 176. The City Physician, as Health Officer, shall visit once in each quarter all public buildings and school houses in said city. During such visits he shall examine the manner in which they are lighted, ventilated, and heated, and particularly as to their sanitary condition.

SEC. 177. The City Physician, as Health Officer, shall promptly report in writing to the City Superintendent of Common Schools the name and residence of every person sick with cholera, smallpox, scarlatina, diphtheria, or any contagious disease. Said City Superintendent, when so notified, must refuse admittance to the common schools of any member of a household, one or more of whose inmates are sick from any of the aforesaid diseases. The person excluded shall be admitted upon presenting a certificate from his or her attending physician, or from the Health Officer, that there is no longer any danger from contagion.

SEC. 178. When a case of contagious disease is reported to the Health Officer, he may visit the premises where the person is; and when satisfied that said disease exists, he shall place a yellow flag or conspicuous notice on said premises, which shall remain during the continuance of the disease on said premises.

SEC. 179. The Health Officer may cause to be removed to a smallpox hospital any person in said city affected with smallpox. When a case of smallpox exists in any house, and the person so affected is not moved to said hospital or pesthouse, the Health Officer shall immediately place a quarantine flag on said premises, and may place a competent person in charge thereof, who shall see that a quarantine is strictly enforced so long as public safety requires.

SEC. 180. The Health Officer shall vaccinate, free of charge, all persons applying to him.

SEC. 181. The Board of Health, within two weeks from the time of its organization, shall elect a Sanitary and Building Inspector, who must be a resident of the city for at least two years, and an elector therein, a man of fair education, and not under twenty-five years of age. Said Inspector shall be clothed with the powers of a police officer, receive his orders from the Health Officer, and hold his office during the pleasure of the Board of Health. His duty shall be to inspect and examine all nuisances, privies, vaults, cesspools, buildings, and low places within the city limits, with a view to the enforcement of all the laws and regulations relating to sanitary matters, and to cause the arrest of and vigorously prosecute all persons violating any of said laws and regulations. It shall also be his duty to see that all buildings, balconies, porches, awnings, signs, and all fixtures appertaining to buildings are constructed in a safe and substantial manner, and according to the requirements of law and city ordinances; and it shall also be his duty to cause the arrest of, and prosecute all persons failing or refusing to comply with the law or ordinances in relation thereto. He shall report to the Health Officer each day his official acts.

SEC. 182. The Board of Health, within two weeks from the time of its organization, shall elect an Inspector of Plumbing and Drainage, who must be a skilled and practical plumber, an elector of the city, a resident therein for not less than two years, and not under twenty-five years of age. He shall hold his office during the pleasure of the Board of Health. The Board of Health may require him, before his election, to pass a satisfactory examination as to his qualifications.

SEC. 183. The duties of the Inspector of Plumbing and Drainage shall be:

First—He shall number and file all plans and specifications accepted, and record the names of the owner and architect and the location.

Second—He shall examine all plans and accompanying specifications, and, if in accordance with the rules of the Board of Health, he shall issue a permit for the work to go on. Any plan or specification that, in his judgment, does not conform to the rules, shall be by him presented to the Health Officer, and if not then approved it shall be returned to the parties presenting it, with a written notice explaining the corrections necessary in order to comply with the rules.

Third—He shall examine all plumbing work before the same is covered up or inclosed, and if found to be done in accordance with the rules and the plans and specifications filed, he shall issue a certificate to that effect; and upon the completion of any plumbing work he shall examine the same, and if found to conform to the rules of the Board of Health and the plans and specifications filed, he shall issue a final certificate.

Fourth—He shall make a monthly report to the Board of Health of the number of plans and specifications received, the number approved and rejected, the number of first and final examinations made, where and by whom the rules have been violated, and such other matters as may be required by the Board of Health.

Fifth—He shall immediately, upon knowledge of any infraction of the rules and regulations, report the same to the Health Officer.

SEC. 184. The Board of Health, with the consent of the Board of Trustees, may establish and maintain a City Dispensary and Receiving Hospital, with all proper appliances and appurtenances for the relief of the indigent sick of the City of Sacramento. The Board of Health may also provide for necessary attendants for such poor applicants, who are sick or wounded, and who cannot immediately be removed to the County Hos-

pital without endangering their lives. Said dispensary shall be the office of the City Physician and the Board of Health.

SEC. 185. Every member of the Board of Health and the Health Officer may administer oaths on matters connected with the Health Department.

ARTICLE XIII.

CITY FREE LIBRARY.

SEC. 186. The City Free Library, heretofore presented to the city by the citizens thereof, shall be under the control and management of five Directors, who shall be known as the Board of Free Library Directors. They shall be appointed by the Mayor, by and with the advice and consent of the Board of Trustees, and shall receive no compensation.

SEC. 187. The terms of office of said Directors shall be for four years. The Directors first appointed shall so classify themselves by lot so that one shall go out of office in one year, one in two years, one in three years, and two in four years.

SEC. 188. Said Directors shall immediately after appointment meet and organize by the election of a President from among their number, who shall hold such office for one year.

SEC. 189. The Board of Directors shall have power to maintain a free library and reading-room; to make and enforce all such by-laws, rules, and regulations as may be necessary for the administration, government, and protection of such library, reading-room, and property; to appoint a Librarian and Assistant Librarian, and such other employés as may be necessary, and, for good cause, to remove them; to control and order the expenditure of all moneys at any time in the Library Fund, and order the drawing and payment of all moneys out of said fund for such expenditures or liabilities as are herein authorized. They shall have power to purchase such books, periodicals, newspapers, magazines, maps, charts, and engravings as to them may seem proper, for the use of the library and reading-room, and shall have power to sell or exchange any duplicate copy of any book, paper, magazine, map, chart, or engraving that they may have on hand. They may fix the compensation of any employé of the Board of Directors other than the Librarian and Assistant Librarian.

SEC. 190. The Board of Free Library Directors shall annually, on or before the first Monday of August, make and report to the Board of Trustees, a statement in detail of the receipts and expenditures for library purposes during the year then last passed, and shall, at the same time, make and furnish a detailed statement of the probable amount of money that will be required during the current year, and the purposes for which it is required. The Board of Trustees shall not be bound by such estimate, but shall, at the time of levying other city taxes, levy a direct special tax, which, after making proper allowances for delinquencies, will produce a sum which, in the judgment of the Board of Trustees, shall be sufficient for library purposes. No indebtedness exceeding the amount of the annual levy for this purpose shall be incurred in any one year.

SEC. 191. The library and reading-room shall be forever free to the use of the residents of this city and persons sojourning therein, always subject to such reasonable rules and regulations as the Board of Directors may adopt; and they may exclude from the use of said library and reading-room any and all persons who shall willfully violate such rules; and may extend the privileges and use of such library and reading-room to persons residing outside the city, upon such terms and conditions as they may from time to time prescribe.

SEC. 192. The City Auditor and City Treasurer shall keep a City Free Library Fund, into which shall be paid all moneys appropriated to it or received by the Board of Free Library Directors from donations, or other sources, and neither the Board of Trustees nor City Auditor shall allow any claim paid out of the Free Library Fund until such claim shall have been audited and allowed by the Board of Free Library Directors; *provided*, that all sums of money received for fines imposed by the Board of Directors for violations of its rules, may be retained by and disbursed upon the order of said Board.

ARTICLE XIV.

E. B. CROCKER ART GALLERY.

SEC. 193. The Art Gallery, now held by this city, shall always be known as the "E. B. Crocker Art Gallery." It shall be held, maintained, and conducted by the City of Sacramento according to the provisions of the deed presenting said Art Gallery to the city, executed by Margaret E. Crocker, dated May second, eighteen hundred and eighty-five, and recorded in book one hundred and fifteen, page two hundred and ninety-eight, of deeds, in the Recorder's Office of the County of Sacramento, State of California.

ARTICLE XV.

CITY CEMETERIES.

SEC. 194. There shall be a Superintendent of Cemeteries, who shall be appointed by the Mayor, by and with the consent of the Board of Trustees. He shall be a resident elector of the city for not less than two years next before his appointment. His term

of office shall be two years. He shall give his entire time and attention to the discharge of the duties of his office. He shall not be interested in the care of any private lot or lots, or in any contract respecting any lot or lots, or improvements thereon, in said cemeteries.

SEC. 195. The Superintendent of Cemeteries shall have the management, care, and control, subject to the general supervision of the Mayor, of all cemeteries owned or controlled by the city, and he shall keep such records, make such reports, and perform such other duties in relation to the cemeteries, and in relation to interments and exhumations, as may be required of him by law, by this charter, by any ordinance or regulation of the Board of Trustees, or by the rules or regulations of the Board of Health.

SEC. 196. The Superintendent of Cemeteries of the city must report in writing to the Health Officer on each Monday the names of all persons who have been buried, removed, or exhumed within the respective cemeteries for the preceding week, and no Superintendent shall allow a burial or removal of a body without first having procured a permit therefor from the Health Officer.

SEC. 197. The Mayor shall appoint such employes as the Board of Trustees may deem necessary for the proper care of the cemeteries belonging to the city, and all employes so appointed shall be under the control and direction of the Superintendent, and he shall have power to suspend or discharge any such employes, subject to the approval of the Mayor.

ARTICLE XVI.

ELECTIONS.

SEC. 198. Elections to be held in said city for the purpose of electing officers thereof, and for all other purposes, shall be of two kinds:

First—General municipal elections.

Second—Special municipal elections.

SEC. 199. General municipal elections shall be held in the city on the first Tuesday after the first Monday in November of each odd numbered year, and shall be for the purpose of electing all officers made elective by the terms of this charter, and for other purposes in this charter provided. The first election under this charter shall be held on the first Tuesday after the first Monday in November, eighteen hundred and ninety-three.

SEC. 200. Special municipal elections for all purposes shall be held on such days as shall be fixed by the Board of Trustees therefor.

SEC. 201. All general and special municipal elections shall, in all respects as nearly as may be, be held and conducted in accordance with the provisions of the laws of the State for the holding of general elections in effect at the time, and the Board of Trustees shall make all the necessary arrangements for holding said elections in accordance therewith; and the canvass and the declaring of the result of all elections by the Board of Trustees shall be in accordance with the provisions of said State laws.

SEC. 202. The qualification of an elector at any election held in the city in pursuance of this charter, shall be the same as those prescribed by the laws of this State for electors at any general election in force at the time of such election.

SEC. 203. It shall be the duty of the Board of Supervisors of the County of Sacramento, when Great Registers are being printed, to provide for the printing of a sufficient number of such registers, in addition to the number required otherwise by law, to be printed for the general and special municipal elections to be held or likely to be held in the City of Sacramento, and it shall be the duty of the County Clerk of said county to furnish such registers in sufficient number when so required by the Board of Trustees of the city. The County Clerk, when so required, for the purposes of a general or special municipal election, shall furnish to the Board of Trustees of the city a supplemental list of all voters who have registered since the time of the last printed Great Register.

ARTICLE XVII.

OFFICIAL BONDS.

SEC. 204. Every officer of the city, the amount of whose bond is named in this section and every other officer required to do so by the Board of Trustees, shall, before entering upon the duties of his office, and within twenty days after the mailing or delivery to him of his certificate of election or appointment, file his official bond, which bond shall be made payable to the City of Sacramento, be signed by at least two sufficient sureties, and be conditioned for the faithful performance of the duties of the office.

All official bonds, except those of members of the Board of Trustees, shall be approved or rejected by the Board of Trustees, by an order entered on the minutes, and by the indorsement of the word "approved," or the word "rejected," on the bond, with the date of the approval or rejection, signed by the President. The official bonds of members of the Board of Trustees shall be approved by the Mayor. The City Auditor shall be the legal custodian of all official bonds, except his own, which shall be deposited with the City Treasurer, and shall be responsible on his official bond for the safekeeping of all such bonds intrusted to his charge.

The Board of Trustees may, at any time, require an additional amount or new sureties upon any official bond which it may determine insufficient, and must require an addi-

tional bond or new sureties whenever a surety thereon shall die, or become insolvent, or cease to be a resident of the State. If such additional bond or additional security be not given, the Board of Trustees must declare the office vacant; and as soon as such declaration is made the office becomes vacant. No official bonds shall be approved unless the sureties thereon shall justify in the manner provided for in the Political Code for the justification of the sureties on official bonds of county officers; and all persons offered as sureties on official bonds may be personally examined on oath as to their qualification by the officers whose duty it is to approve the bond. No officer or employé of the city shall be surety upon the official bond of any other officer or employé of the city.

The amounts in which the respective officers shall execute official bonds shall be as follows: Members of the Board of Trustees, five thousand dollars each; Mayor, twenty-five thousand dollars; City Clerk, ten thousand dollars; City Auditor, fifteen thousand dollars; City Assessor, twenty-five thousand dollars; City Collector, one hundred thousand dollars; City Treasurer, one hundred and twenty-five thousand dollars; City Attorney, five thousand dollars; City Superintendent of Common Schools, five thousand dollars; Clerk of Police Court, five thousand dollars; Chief of Police, ten thousand dollars; Captain of Police, five thousand dollars; Sergeants of Police and policemen, five hundred dollars each; Superintendent of Streets, ten thousand dollars; Chief Engineer of Fire Department, five thousand dollars; Assistant Engineer of Fire Department, two thousand five hundred dollars; Chief Engineer of Waterworks, five thousand dollars; City Tapper, five thousand dollars; City Water Assessor, five thousand dollars; City Physician, five thousand dollars; Superintendent of Cemeteries, two thousand dollars; Sanitary and Building Inspector, two thousand dollars; Inspector of Plumbing and Drainage, two thousand dollars; City Surveyor, five thousand dollars.

The official bond of any officer or employé of the city, other than those named in this section, shall be in such amount as the Board of Trustees shall fix.

ARTICLE XVIII.

SALARIES OF OFFICERS.

SEC. 205. Each member of the Board of Trustees shall receive a salary of two hundred and fifty dollars a year, but there shall be deducted therefrom the sum of five dollars for each and every regular meeting of the Board which he shall fail to attend. The compensation of other officers and employés of the city shall be per annum as follows: Mayor, three thousand dollars; City Auditor and Assessor, twenty-four hundred dollars; City Collector, twenty-seven hundred dollars; City Treasurer, fifteen hundred dollars; City Clerk, fifteen hundred dollars; City Attorney, eighteen hundred dollars; City Superintendent of Common Schools, twenty-seven hundred dollars; City Physician, two thousand dollars; Superintendent of Streets, fifteen hundred dollars; Clerk of Police Court, twelve hundred dollars; Deputy City Auditor and Assessor, twelve hundred dollars; Deputy City Collector, fifteen hundred dollars; Clerks of City Collector, each, one thousand dollars; Mayor's Clerk, nine hundred dollars; Clerk of City Superintendent of Common Schools, seven hundred and twenty dollars; Sanitary and Building Inspector, twelve hundred dollars; Inspector of Plumbing and Drainage, twelve hundred dollars; City Librarian, twelve hundred dollars; Assistant City Librarian, nine hundred dollars; Chief of Police, twenty-one hundred dollars; Captain of Police, fifteen hundred dollars; Sergeants of Police, each, twelve hundred dollars; other members of permanent police force, each, ten hundred and eighty dollars; Chief Engineer of Fire Department, eighteen hundred dollars; Assistant Chief Engineer of Fire Department, twelve hundred dollars; Engineers of Fire Department, each, twelve hundred dollars; Drivers, Fire Department, each, nine hundred dollars; Foremen of Fire Companies, each, three hundred and sixty dollars; Assistant Foremen of Fire Companies, each, three hundred dollars; Hosemen, each, two hundred and forty dollars; Hook and Ladder men, each, two hundred and forty dollars; Tillermen, each, nine hundred dollars; Superintendent of Fire Alarm System, twelve hundred dollars; Superintendent of Cemeteries, twelve hundred dollars; Chief Engineer of Waterworks, eighteen hundred dollars; First Assistant Engineer of Waterworks, fourteen hundred and forty dollars; Second Assistant Engineer of Waterworks, thirteen hundred and twenty dollars; Firemen of Waterworks, each, nine hundred dollars; City Tapper, twelve hundred dollars; Assistant City Tapper, nine hundred dollars; City Water Assessor, nine hundred dollars.

All such salaries shall be payable in equal monthly installments.

The City Surveyor shall receive such fees for his services as may be allowed by the Board of Trustees.

SEC. 206. The salaries of all other officers and compensation of all employés other than those named in the next preceding section shall, except where otherwise expressly provided in this charter, be fixed by the Board of Trustees.

SEC. 207. The Board of Trustees may, at any time, by ordinance for that purpose, increase or decrease the compensation of officers and employés as herein fixed, except of members of the Board of Trustees, and of the City Superintendent of Common Schools; *provided*, no such change in the amount of compensation of any office held for a definite term shall take effect during the term of the then incumbent of the office, and no such change in the amount of compensation of any office held during the good behavior of the incumbent, shall take effect in less than six months from the passage of the ordinance; and *provided further*, that no increase shall be made in the compensation of any office, unless by affirmative vote of at least seven members of the Board of Trustees.

SEC. 208. The compensation of officers and employes of the Educational Department shall be paid out of the Common School Fund; of the Fire Department out of the Fire Department Fund; of the Police Department out of the Police Fund; of the City Free Library out of the Library Fund, and of other officers and employes out of the General Fund.

ARTICLE XIX.

MISCELLANEOUS PROVISIONS.

SEC. 209. No grant of any franchise by the Board of Trustees shall have any validity unless the person or persons to whom the same is made shall, within six months thereafter, actually and in good faith, and not colorably, commence the exercise or enjoyment of the same; *provided*, that where condemnation of property is necessary, condemnation proceedings commenced and diligently prosecuted shall be deemed the exercise of the franchise. Whenever any franchise shall have been in disuse, in whole or in part, for the period of one year, there being no legal impediment to the use thereof, it shall be deemed abandoned and forfeited to the extent of such disuse, and said franchise, or the part thereof so in disuse, shall no longer be exercised or enjoyed. When in the exercise of any franchise use has been made in any way of any street or alley of the city, such street or alley shall be put in good repair, and all the materials and obstructions which have been placed therein in the exercise of such franchise, shall be removed therefrom at the expense of the person or company who has held such franchise, whenever the franchise is abandoned or falls into disuse.

SEC. 210. Any person holding a salaried office under this city, whether by election or appointment, who shall, during his term of office, hold or retain any other office of profit or emolument under the Government of the United States, or of this State, or who shall hold any other office connected with the government of the city or the county of Sacramento, shall be deemed thereby to have vacated the office held by him under the city government.

SEC. 211. No member of the Board of Trustees, and no officer of or employe of the city, shall be or become directly or indirectly interested in or with the performance of any contract work or business, or in the sale of any article the expense, price, or consideration of which is payable from the City Treasury, or in the purchase or lease of any real estate or property belonging to or taken by the city, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the city. Any member of the Board, or any officer or employe of this city violating the provisions of this section, or who shall be directly or indirectly interested in any franchise, right, or privilege granted by the city, while he is such member, officer, or employe, unless the same shall devolve upon him by law, shall forfeit his office, and be forever disqualified from holding any position in the service of the city; and all contracts made, or rights or franchises granted in violation of this section, shall be absolutely void.

SEC. 212. No officer or employe of the city shall give, or promise to give, any other person any portion of his compensation, or any money or thing of value, or any position in consideration of having been, or of being nominated, appointed, voted for, or elected to any office or employment under the city. No officer of the city shall, while in office, accept any donation or gratuity in money, or any thing of value, either directly or indirectly, from any subordinate or employe, or from any candidate or applicant for any position under him. Any person violating the provisions of this section shall forfeit his office and employment under the city, and be forever disqualified from holding any position in the service of the city.

SEC. 213. All books and records of every office and department shall be open to the inspection of any citizens at any time during business hours. Copies or extracts from such books and records, duly certified, shall be given by the officer having the same in custody to any person demanding the same, upon paying or tendering ten cents per folio of one hundred words.

SEC. 214. Except as otherwise provided for by law or this charter, all public offices shall be kept open for business every day (except legal holidays) from half past eight o'clock in the forenoon until five o'clock in the afternoon; and in addition thereto, for two weeks before taxes become delinquent in each year, the office of the City Collector shall be kept open until nine o'clock in the evening.

SEC. 215. No office shall be created in addition to those provided by this charter, unless by ordinance regularly adopted by the Board of Trustees by not less than seven affirmative votes. Whenever, in the judgment of the Board of Trustees, no necessity exists for the continuation of any office created or provided for by this charter, said Board, by an ordinance for that purpose, adopted by not less than seven affirmative votes, may discontinue such office.

SEC. 216. All officers, deputies, clerks, assistants, and other employes of the city, and of the several departments thereof, must be citizens of the United States, and during their respective terms of office or employment must, with the exception of the Superintendent of Common Schools, and teachers in the public schools, reside in the city, and have been residents of the city one year next preceding their appointment. They, and each of them, shall perform such duties as may be required of them, respectively, by law, ordinance, or this charter, and shall only receive such compensation as may have been previously provided, and such compensation shall not be increased during the term of their respective offices or employment, except as in this charter provided.

SEC. 217. If any officer of the city shall remove from the city, or absent himself therefrom for more than thirty days consecutively, without the permission of the Board of Trustees, or shall fail to qualify by taking the oath of office and filing his official bond, whenever such official bond is required, within twenty days from the time his certificate of election or appointment is mailed or delivered to him, or shall resign, or be convicted of felony, or of malfeasance in office, or be adjudged insane, his office shall be vacant, and the vacancy filled as herein provided. The Mayor, by and with the consent of the Board of Trustees, shall have the power to appoint suitable persons to fill vacancies in any office, except as in the charter provided. The appointee shall hold until the election and qualification of his successor.

SEC. 218. All books, papers, plats, charts, records, files, stationery, furniture, tools, and appliances made or made use of by any officer or employé of the city in the performance of his official duties, shall be deemed and considered as belonging to the city, and shall be delivered to his successor in office, who shall give duplicate receipts in writing therefor, one of which receipts shall be filed with the City Auditor.

SEC. 219. No officer or employé in any department of the city government shall be removed on account of his political opinions or affiliations.

SEC. 220. Eight hours shall constitute a day's work in all labor performed by or under direction of the city or any officer thereof, and under any and all contracts and sub-contracts between the city or its officials, and any person, company, or corporation; and it shall be a covenant in every contract made by or on behalf of the city for the performance of any work, whether such covenant is inserted therein or not, that eight hours shall constitute a day's work in the performance of such contract. This section shall not apply to the number of hours' service to be rendered each day by any officer or employé of the city in any office provided for by this charter.

SEC. 221. No Chinese shall ever be employed, either directly or indirectly, on any work of the city, or in the performance of any contract or sub-contract of the city, except in punishment for crime. Nor shall any provisions, supplies, materials, or articles of Chinese manufacture or production ever be used or purchased by or furnished to the city.

SEC. 222. All fees and other moneys received or collected by any officer, agent, or employé of the city (except only such fees as the City Surveyor may be authorized by ordinance to collect), shall be paid by such officer, agent, or employé each month (or oftener if required by this charter, or by order of the Board of Trustees), into the City Treasury for the use of the city, and no payment of salary shall be made to any officer, agent, or employé who shall be in receipt of money payable to the city, until he shall have taken and filed with the Auditor an affidavit that he has paid into the City Treasury all fees or other moneys theretofore received or collected by him.

SEC. 223. Whenever special meetings are called of the Board of Trustees, Board of Education or any other Board of the municipality, notice thereof shall be served on each member personally or by mail, addressed to his place of residence; if by mail, the notice, postpaid, shall be deposited in the Post Office of the city at least twenty-four hours before the time of meeting. At such special meeting no subject shall be considered except that specified in the notice.

SEC. 224. In all prosecutions for violation of any of the provisions of this charter, or for violation of any city ordinance, rule, resolution, or other regulation of the Board of Trustees, whether in the Court of original jurisdiction or in any appellate Court, it shall not be necessary to plead the contents of the same, but the Court before which the proceedings shall be pending shall take judicial notice of this charter, and of such ordinance, rule, resolution, or other regulation, and of the contents thereof; and in all civil actions to which the city, or any officer of the city, is a party, either plaintiff or defendant, the adoption and contents of any ordinance, rule, resolution, or other regulation of the Board of Trustees, may be proven prima facie, by the introduction of the original entry thereof on the records of the Board; a copy thereof certified by the City Clerk to be a full, true, and correct copy of such original entry, or by the introduction of a printed copy published, or purporting to have been published, by authority.

SEC. 225. Every officer provided for in this charter shall, before entering upon the duties of his office, take, subscribe, and file with the City Clerk the following oath: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of ——— to the best of my ability."

SEC. 226. All officers provided to be elected by this charter shall take office on the first Monday after the first day of January next after their election. The fiscal year shall commence on the first Monday after the first day of January.

SEC. 227. All ordinances, rules, resolutions, and other regulations of the City of Sacramento in force at the time this charter takes effect, and not inconsistent therewith, shall continue in force until amended or repealed; all offices of the city heretofore existing shall, unless expressly continued in force by this charter, cease to exist at the time this charter takes effect, and shall be supplanted by the offices herein provided for; and the incumbents of the offices so abolished shall surrender to the officers having like powers and duties, as provided by this charter, all moneys, bonds, contracts, books, accounts, records, files, furniture, and property of the offices so abolished. No business pending before any department or officer of the city at the time this charter takes effect shall be considered as lost, discontinued, or abandoned by reason thereof; but the same may be taken up, continued, transacted, and completed before the proper department or officer provided by this charter.

SEC. 228. The Board of Trustees of the present City of Sacramento shall provide for the holding of the first election of officers under this charter, and shall canvass the votes and declare the result.

SEC. 229. For the sole purpose of the election of the officers directed by this charter to be elected by the people, this charter shall take effect immediately after its approval by the Legislature; and such election shall be managed and conducted in accordance with the general election laws of the State. For all other purposes this charter shall take effect on the first Monday after the first day of January, 1894.

WHEREAS, The City of Sacramento, a city containing a population of more than ten thousand and less than one hundred thousand inhabitants, on the eighth day of December, eighteen hundred and ninety-one, at a regular election, and under and in accordance with the provisions of section eight article eleven of the Constitution of the State of California, did elect John W. Armstrong, Frederick Cox, N. Greene Curtis, Robert T. Devlin, Christopher Green, Thomas B. Hall, C. H. Hubbard, Matt. F. Johnson, W. F. Knox, Jr., Hugh M. La Rue, J. H. Roberts, G. L. Simmons, S. B. Smith, Harris Weinstock, and Clinton L. White, a Board of Fifteen Freeholders, to prepare and propose a charter for said city; be it known that in pursuance of said provision of the Constitution, and within a period of ninety days after such election, said Board of Fifteen Freeholders has prepared, and does propose the foregoing, as and for the charter of the said City of Sacramento, and that in submitting and proposing such charter the Board of Fifteen Freeholders, pursuant to said provision of the Constitution, also presents therewith for the choice of the voters, and to be voted on separately, without prejudice to the other provisions contained in the charter, two alternative propositions, hereinafter stated, and designated as Alternative Proposition Number One and Alternative Proposition Number Two, respectively, one only of which shall become a part of such charter.

Said alternative propositions shall be submitted for the choice of the voters at the same election at which the charter shall be submitted, and upon the ballots shall be printed: "For retaining the Commission—Yes," and "For retaining the Commission—No." All votes cast "For retaining the Commission—Yes," shall be counted for Alternative Proposition Number One, and all votes cast for "For retaining the Commission—No," shall be counted for Alternative Proposition Number Two. Voters shall be entitled to vote for one only of said alternative propositions, and the alternative proposition receiving the greatest number of votes shall be thereby adopted and become a section of the charter, and shall be known and designated as section two hundred and thirty thereof. The said alternative propositions are as follows:

ALTERNATIVE PROPOSITION NUMBER ONE.

SEC. 230. Nothing in this charter shall ever be construed as repealing, abrogating, nullifying, amending, or in any way or to any extent modifying or affecting an Act of the Legislature of the State of California, approved March twenty-fifth, eighteen hundred and seventy-two, entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento." Nor shall anything in this charter ever be construed as repealing, abrogating, nullifying, amending, or in any way or to any extent modifying or affecting an Act of the Legislature of the State of California, approved March ninth, eighteen hundred and eighty-seven, entitled "An Act to amend section six of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March twenty-fifth, eighteen hundred and seventy-two." Nor shall anything in this charter ever be construed as repealing, abrogating, nullifying, amending, or in any way or to any extent modifying or affecting an Act of the Legislature of the State of California, approved March nineteenth, eighteen hundred and eighty-nine, entitled "An Act to amend sections one, five, seven, eight, ten, and eleven of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March twenty-fifth, eighteen hundred and seventy-two." Any and all provisions of this charter in conflict with said Acts, or either of them, are and shall be null and void, so far as the same are in conflict with said Acts, or either of them. Said Acts, and each of them, shall remain in full force and effect, and the "Board of Commissioners of the Funded Debt Sinking Fund of the City of Sacramento," as created and provided for in said Acts, shall continue in existence, and have, possess, retain, and use all the powers and duties conferred upon said Board by said Acts, or either of them; and this charter shall, notwithstanding any provision inconsistent therewith or contrary thereto contained in it, always be taken and construed as subordinate to said Acts, and as ratifying and confirming said Acts as valid and as continuing them in full force and effect.

ALTERNATIVE PROPOSITION NUMBER TWO.

SEC. 230. Nothing in this charter shall ever be taken or construed as continuing in force an Act of the Legislature of the State of California, approved March twenty-fifth, eighteen hundred and seventy-two, entitled "An Act to provide for the redemption of the funded indebtedness of the City of Sacramento." Nor shall anything in this charter ever be taken or construed as continuing in force an Act of the Legislature of the State of California, approved March ninth, eighteen hundred and eighty-seven, entitled "An Act to amend section six of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March twenty-fifth, eighteen hundred and seventy-two." Nor shall anything in this charter

ever be taken or construed as continuing in force an Act of the Legislature of the State of California, approved March nineteenth, eighteen hundred and eighty-nine, entitled "An Act to amend sections one, five, seven, eight, ten, and eleven of an Act entitled 'An Act to provide for the redemption of the funded indebtedness of the City of Sacramento,' approved March twenty-fifth, eighteen hundred and seventy-two." On the contrary, this charter hereby repeals said Acts, and each of them, and shall be taken and construed as being in conflict with, and as annulling and making void said Acts, and each of them, and said Acts shall not, nor shall either of them, continue in force, nor shall the "Board of Commissioners of the Funded Debt Sinking Fund of the City of Sacramento," as created and provided for in said Acts continue in existence, or have any powers or rights after this charter goes into effect, but on the first Monday after the first day of January, 1894, said "Board of Commissioners of the Funded Debt Sinking Fund of the City of Sacramento" shall surrender and transfer to the City of Sacramento, and deliver to the City Treasurer all moneys, bonds, coupons, securities, books, accounts, claims, and other property held by said Board, pursuant to said Acts, or either of them, and thereupon the functions of said Board shall terminate, and said Board shall cease to exist.

In witness whereof, we have hereunto set our hands, at the City of Sacramento, State of California, this fifth day of March, one thousand eight hundred and ninety-two.
Done in duplicate.

JOHN W. ARMSTRONG.
FREDERICK COX.
N. GREENE CURTIS.
CHRISTOPHER GREEN.
C. H. HUBBARD.
THOMAS B. HALL.
MATT. F. JOHNSON.
W. F. KNOX, JR.
H. M. LA RUE.
J. H. ROBERTS.
S. B. SMITH.
HARRIS WEINSTOCK.
CLINTON L. WHITE.

Attest: LINCOLN WHITE, Secretary.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all members elected to each house voting for and concurring herein), That said charter (excluding Alternative Proposition Number Two, which was rejected by the qualified electors of said city, but including as a part of such charter, and to be known as section two hundred and thirty thereof, said Alternative Proposition Number One, which Alternative Proposition Number One, in submitting such charter, was also presented to and adopted and ratified by the qualified electors of said city), be and the same is hereby approved for and as the charter of the City of Sacramento.

The roll was called, and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—38.

NOES—None.

Senator Hart moved that Senate Concurrent Resolution No. 2 be ordered engrossed and transmitted to the Assembly.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 10—An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Senator Mahoney moved that Assembly Bill No. 10 be taken from the file, and referred to Committee on Corporations.

Senator Ostrom moved as an amendment that the bill be referred to the Committee on Judiciary, which committee is to report the same back

at two o'clock P. M. on Monday next, and be made the special order for that time.

Senator Maher moved an amendment to the amendment as follows: That the following be stricken from the amendment:

Which committee is to report the same back at two o'clock P. M. on Monday next, and be made the special order at that time.

CALL OF THE SENATE.

Senator Ostrom moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names.

MESSRS. ARMS, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

All the Senators being present, the President of the Senate declared further proceedings under the call dispensed with.

The question then being on the amendment to the amendment offered by Senator Maher.

The roll was called, and the amendment to the amendment lost by the following vote:

AYES—MESSRS. Bailey, Broderick, Carpenter, Denison, Everett, Flint, Ford, Hart, Hoyt, Maher, Mahoney, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—18.

NOES—MESSRS. ARMS, Berry, Biggy, Burke, Dunn, Earl, Fay, Gesford, Goucher, Harp, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Whitehurst, and Wilson—21.

The question then being on the amendment offered by Senator Ostrom.

The roll was called, and the amendment lost by the following vote:

AYES—MESSRS. Broderick, Goucher, Langford, Orr, Shippee, and Simpson—6.

NOES—MESSRS. ARMS, Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

The question then recurring on the original motion offered by Senator Mahoney.

Senator Voorheis moved as an amendment that the Committee on Corporations report back the bill without delay.

Amendment accepted by Senator Mahoney.

The roll was then called on the original motion, as amended, and the motion adopted by the following vote:

AYES—MESSRS. Bailey, Broderick, Carpenter, Denison, Everett, Flint, Ford, Goucher, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—20.

NOES—MESSRS. ARMS, Berry, Biggy, Burke, Dunn, Earl, Fay, Gesford, Harp, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—19.

LEAVE OF ABSENCE.

Senator Arms was granted leave of absence for the balance of the day.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

FIRST READING OF BILLS.

Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Read first time.

Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

Read first time.

Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties in the State."

Read first time.

Senate Bill No. 61—An Act to prevent persons from entering upon the inclosed lands of another for the purpose of shooting, or hunting, or fishing, or discharging firearms thereon.

Read first time.

SENATE JOINT RESOLUTION No. 5.

Relative to indebtedness of the United States Government to the State of California.

Resolved by the Senate, the Assembly concurring. That the State of California urges upon its Senators and Representatives in Congress to use their best efforts in procuring the passage of the Act now pending in both houses of Congress, to reimburse California for the money raised and disbursed for arming and equipping troops brought into service by requisition of the United States during the Rebellion. These claims have all been passed upon and approved by the War Department, and by the committee in each house to whom they were referred, and are on their respective calendars for passage, but may fail this Congress, as in the last, for want of earnest and active presentation. For war claims, see House Report three thousand three hundred and ninety-six, and Senate Reports one thousand two hundred and eighty-six and two thousand and fourteen, first session fiftieth Congress; also, House report two thousand five hundred and fifty-three, and Senate Report six hundred and forty-four, first session fifty-first Congress; and House Report two hundred and fifty-four, and Senate Report one hundred and fifty-eight, first session fifty-second Congress.

Resolved. That whatever money shall be received by the State from these claims, or from the claim of the State to five per cent of the cash sales of public land sold in this

State by the United States, the same shall be turned into the State Treasury, and credited to the School Fund.

Resolved, That his Excellency the Governor be requested to forward a copy of these resolutions to each of the Senators and Representatives in Congress.

The roll was called, and Senate Joint Resolution No. 5 adopted by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Carpenter, Denison, Fay, Flint, Harp, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—23.

NOES—None.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 11—An Act to amend section sixty of an Act entitled “An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors,” approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Read first time.

Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled “An Act to establish a Code of Civil Procedure,” approved March 11, 1873, relating to the estates of deceased persons.

Read first time.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled “An Act to establish a Penal Code,” approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Read first time.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

Read first time.

Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Read first time.

Senate Bill No. 160—An Act making an appropriation to pay the claim of the “California Spirit of the Times” for advertising the election proclamation in the forty-second fiscal year.

Senate Bill No. 126—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

On motion of Senator Voorheis, Senate Bills Nos. 160, 126, 188, and 250 were re-referred to Committee on Finance, but the same to retain their place on general file.

Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking

permission and authority to lay railroad tracks through streets, or public highways, of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Read first time.

Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Read first time.

Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Read first time.

Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Read first time.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Read first time.

SENATE JOINT RESOLUTION No. 10.

Relative to the abolishment of the duty on grain bags, burlaps, gunnies, or gunny cloth.

WHEREAS, The farmers of the Pacific Coast use about thirty-five million grain bags each year; and whereas, of that number only five million are of local manufacture, and do not affect the price of the imported sack; and whereas, the tax upon the materials of which these sacks are made is almost entirely collected on the Pacific Coast; and whereas, the tariff imposed upon grain bags has not increased the amount of local product, has not increased the number of white laborers employed in such industry, has not increased the wages of any employé, but has only resulted in an increase of the cost of the article to the consumer; therefore, be it

Resolved by the Senate, the Assembly concurring, That our Senators and Representatives in Congress be requested to use all honorable means to have the duty on grain bags, burlaps, gunny, or gunny cloth abolished.

Resolved, That the Governor of the State of California be requested to forward a copy of the above resolution to each of our Senators and Representatives in Congress.

The roll was called, and Senate Joint Resolution No. 10 adopted by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Carpenter, Denison, Earl, Everett, Fay, Flint, Gosford, Harp, Hoyt, Langford, Maher, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry, at Ione, and for furnishing and equipping the same.

Read first time.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hoyt: Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

By Senator Whitehurst: Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Referred to Committee on Finance.

By Senator Mitchell: Senate Bill No. 383—An Act amending sections one thousand one hundred and eighty-three, one thousand eight hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885; and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others, and also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Referred to Committee on Judiciary.

Also: Senate Bill No. 385—An Act to provide for incorporation, operation, and management of cooperative associations.

Referred to Committee on Judiciary.

By Senator Voorheis: Senate Bill No. 386—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887.

Referred to Committee on Education and Public Morals.

By Senator Williams: Senate Bill No. 387—An Act to fix the fees, commissions, and charges of Sheriffs while acting as receivers in insolvency proceedings, and for the disposition of the same.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve, and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Referred to Committee on Hospitals.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Langford: Senate Constitutional Amendment No. 12—Proposed amendment to article twelve of the Constitution, relative to the election of Railroad Commissioners.

Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Senator Broderick, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Friday, January 20, 1893. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

CORRECTION OF JOURNAL.

Senator Ragsdale asked that the Journal of yesterday be corrected on page five, so that Senate Bill No. 367 appear as introduced by request.
So ordered.

WITHDRAWAL OF BILL.

Senator Mathews asked unanimous consent to withdraw Senate Bill No. 380.

Granted.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARPENTER, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands—have had the same under consideration, and respectfully report the same back, and recommend that it be transferred to the Judiciary Committee.

HOYT, Chairman.

Senate Bill No. 48 re-referred to Committee on Judiciary.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 17, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Also: Senate Bill No. 34—An Act to provide for furnishing clerks and copyists to the County Clerks of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Also: Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BAILEY, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 279—An Act to amend the Civil Code, by adding to part four, division first, a new title, providing for the consolidation of colleges and institutions of higher education—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HART, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Also: Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Also: Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SIMPSON, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 19, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Also: Senate Bill No. 138—An Act relating to interest and usury.

Also: Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SHIPPEE, Chairman.

PRESENTATION OF PETITION— (OUT OF ORDER).

By Senator Goucher, with the request that it be read and printed in full in the Journal, and referred to the Committee on Judiciary.
So ordered.

To the honorable the Senate and Assembly of the State of California, in Legislature assembled:

The undersigned, attorneys at law, practicing in the Superior Court of the county of Fresno, in the State of California, respectfully represent that the business of the Superior Court of said county has so largely increased and is so rapidly increasing that the present Judges of said Court are unable to dispose of its business with promptness; that the business of said Court is largely in arrears, so that the length of time required to get a judgment amounts, in many cases, to almost a denial of justice.

Your petitioners further say that they learn, from a certified statement made by the Clerk of said Court, that on the 31st day of December, 1892, there were 1,416 civil actions then pending in said Court undisposed of, and 135 cases appealed from Justices' Courts. We further learn that at that date there were 446 probate cases and 35 criminal cases undisposed of in said Court.

Your petitioners further represent that in their judgment an additional Judge of said Court is now absolutely necessary to dispose of the cases now awaiting trial, so that the docket may be cleared and cases tried with reasonable promptness.

Wherefore, your petitioners pray that your honorable body will create an additional Judgeship of said Superior Court, to be abolished if at any time it shall become unnecessary.

And your petitioners will ever pray, etc.

(Signed by forty-six attorneys.)

Senator Goucher also presented a certificate from the County Clerk of Fresno County in reference to the above petition, and asked that it be referred to Committee on Judiciary.

So ordered.

WITHDRAWAL OF BILL.

Senator Whitehurst asked unanimous consent to withdraw Senate Bill No. 297 and insert a substitute bill in lieu thereof.

Granted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ford: Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of the Debris Commissioners, and to make an appropriation to be expended under their directions in the discharge of their duties as such Commissioners.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Senator Gesford: Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Referred to Committee on Judiciary.

Also: Senate Bill No. 391—An Act to amend section eighteen hundred and eighty of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools, and the issuance of bonds of school districts, and to add a new section thereto, to be known as section eighteen hundred and ninety, also relating to the same subject.

Referred to Committee on Education and Public Morals.

By Senator Orr (by request): Senate Bill No. 392—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Referred to Committee on Counties and County Boundaries.

By Senator Goucher: Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Referred to Committee on Judiciary.

By Senator Biggy: Senate Bill No. 394—An Act authorizing the Board of State Harbor Commissioners to grant for a limited period of time to persons or corporations the right to run and operate street cars, between the hours of six A. M. and seven P. M. of each day, for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon State lands and lands within their jurisdiction along the exterior waterfront line of the City and County of San Francisco.

Referred to Committee on City, City and County, and Town Governments.

By Senator Orr: Senate Bill No. 395—An Act to amend section one hundred and ninety-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the fees and compensation of officers of counties of the thirty-second class.

Referred to Committee on City, City and County, and Town Governments.

By Senator Maher: Senate Bill No. 396—An Act to amend section one hundred and seventy-two of the Civil Code of the State of California, relating to the husband's control and disposition of the community property.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Referred to Committee on Judiciary.

Also: Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Referred to Committee on Judiciary.

Also: Senate Bill No. 399—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California with railroad corporations organized under the laws of any other State or Territory, or both.

Referred to Committee on Judiciary.

Also: Senate Bill No. 400—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Referred to Committee on Judiciary.

Also: Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 402—An Act entitled an Act to pay the claims of employes of the State Board of Forestry, and appropriating the sum of one thousand one hundred and eighty-four dollars and twenty-eight cents to pay such claims.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Gesford: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the judicial department.

Referred to Committee on Constitutional Amendments.

GENERAL FILE—SECOND READING OF BILLS.

Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Bill read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

Bill read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties in the State.

Bill read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 61—An Act to prevent persons from entering upon the inclosed lands of another for the purpose of shooting, or hunting, or fishing, or discharging firearms thereon.

On motion of Senator Gesford, Senate Bill No. 61 was passed on file.

RESOLUTION—(OUT OF ORDER).

By Senator Everett:

Resolved, That a sub-committee of three, from the Committee on Public Buildings other than Prison Buildings, be granted leave of absence to visit the Asylum for the Deaf, Dumb, and Blind, located at Berkeley, California, and investigate the manner in which said asylum is conducted, and that they are further authorized to send for persons and papers.

Adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Joint Resolutions have been correctly engrossed:

Senate Joint Resolution No. 5—Relative to indebtedness of United States Government to the State of California.

Also: Senate Joint Resolution No. 10—Relative to the abolishment of the duty on grain bags, burlaps, gunnies, or gunny cloth.

RAGSDALE, Chairman.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Insert the following in section one, line ten, of printed bill, after the word "county:"
"at least ten days prior to the time of such hearing."

Adopted.

AMENDMENT No. 2.

Insert in section one, on line eleven, after the word "application," the following:
"which said notice shall also briefly indicate the homestead sought to be exempted, or the property sought to be set aside."

Adopted.

Which amendments make section one read as follows:

SECTION 1. Section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April sixteenth, eighteen hundred and eighty, is hereby amended to read as follows:

Section 60. It shall be the duty of the Court having jurisdiction of the proceedings to exempt and set apart, for the use and benefit of said insolvent, such real and personal property as is by law exempt from execution; and also a homestead, in the manner as provided in section one thousand four hundred and sixty-five of the Code of Civil Procedure. But no property or homestead shall be set apart, as aforesaid, until it is first proved that notice of the hearing of the application therefor has been duly given by the Clerk, by causing notices to be posted in at least three public places in the county at least ten days prior to the time of such hearing, setting forth the name of said insolvent debtor, and the time and place appointed for the hearing of such application, which said notice shall also briefly indicate the homestead sought to be exempted, or the property sought to be set aside; and the decree must show that such proof was made to the satisfaction of the Court, and shall be conclusive evidence of that fact.

Read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

The following amendment was submitted by Senator Carpenter:

Amend by striking out all after the words "in the discretion of the Court," in section one, and inserting the following in lieu thereof:

"SEC. 2. This Act shall be in force from and after its passage."

Adopted.

Read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissals of actions.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Read second time, and ordered to engrossment and to a third reading.

MOTION.

Senator Voorheis moved that the Committee on Rules of the Senate confer with the Committee on Rules of the Assembly, for the purpose of formulating joint rules for both houses.

So ordered.

RECESS.

At twelve o'clock M. the President declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Senator Everett:

Resolved, That the Committee on Public Buildings other than Prison Buildings be increased from eleven to thirteen members, the two additional members to be appointed by the President of the Senate.

Referred to Committee on State Library and Rules.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Burke: Senate Bill No. 403—An Act to amend section five hundred and twenty-seven of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Referred to Committee on Public Printing.

Also: Senate Bill No. 404—An Act to amend section six hundred and seventy-nine of the Political Code, relating to duties of the State Board of Examiners.

Referred to Committee on Public Printing.

By Senator Seymour: Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway

Company over a portion of the asylum grounds in the county of San Bernardino.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Flint: Senate Bill No. 406—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Also: Senate Bill No. 407—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

By Senator Goucher: Senate Bill No. 408—An Act to provide for payment of the claim of C. C. Rochford.

Referred to Committee on Finance.

RESOLUTIONS—(OUT OF ORDER).

By Senator Seymour:

Resolved, That the State Controller be and he is hereby requested to draw his warrant on the State Treasury in the sum of twenty-five (\$25) dollars each for Lieutenant-Governor J. B. Reddick, and Sergeant-at-Arms Rodgers, for stationery, etc., the same to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Gesford, Goucher, Hoyt, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

By Senator Fay:

Resolved, That the Secretary of State is hereby directed to furnish each Senator a set of Constitutional Debates.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Fay, Flint, Ford, Goucher, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, Williams, and Wilson—28.

NOES—Messrs. Carpenter and Ostrom—2.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ORR, Chairman.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets or public highways of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

The following committee amendment was adopted:

Strike out of section one, line two, the word "fifty," and insert the following in lieu thereof: "one hundred," so as to read as follows:

"SECTION 1. It shall be lawful for each Board of Health, in its discretion, in each municipality of this State having a population of one hundred thousand and more than that number, to appoint Health Inspectors and Market Inspectors, as follows."

Senator Broderick moved to amend by striking out of section five, line one, of the printed bill, the figure "5," and inserting the figure "4," so as to read as follows:

SEC. 4. All Acts and parts of Acts in conflict with this Act are hereby repealed, and this Act shall take effect and be in force from and after its passage.

Adopted.

Read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Senator McGowan moved that Senate Bill No. 71 be passed, and that it retain its place on the file.

So ordered.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry, at Ione, and for furnishing and equipping the same.

Read second time, and ordered to engrossment and to a third reading.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That the Chairman of Senate Joint Committee to investigate the Home of the Adult Blind be authorized to employ a stenographer to report the proceedings of the committee, and such evidence as said committee may hear relating to matters embraced in the resolution under which they were appointed, at a per diem of ten dollars, and twenty cents per folio for transcribing such testimony.

Further, that said committee be authorized to send for persons and papers, and if they deem it necessary, to appoint a clerk, at a per diem of five dollars, to be paid out of the Contingent Fund of the Senate.

Further, that said committee have a leave of absence commencing on Saturday, the twenty-first day of January, to make the proper investigation, with instruction to proceed to Oakland and make such part of the investigation there as may seem best to ascertain facts as to the management and control of the institution named in the original Assembly Concurrent Resolution No. 2.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

SECOND READING OF BILLS—(RESUMED).

Substitute for Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Ordered read a second time.

Senator Everett moved to strike out the enacting clause.

Senator Burke moved that Substitute for Senate Bill No. 13 be re-referred to Committee on Hospitals.

Senator Everett withdrew his motion, with consent of the second.

The question then being on the motion of Senator Burke, the same was carried, and Substitute for Senate Bill No. 13 re-referred to Committee on Hospitals.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate bill has been correctly engrossed: Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

RAGSDALE, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Maher: Senate Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Referred to Committee on Finance.

By Senator Mathews: Senate Bill No. 411—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Senator Flint: Senate Bill No. 412—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 413—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 414—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 415—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Referred to Committee on Judiciary.

Also: Senate Bill No. 416—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

By Senator Ford: Senate Bill No. 417—An Act to provide for the care and treatment of inebriates, acute insane persons, and victims of opium or other drug habits.

Referred to Committee on Education and Public Morals.

MOTION.

Senator Carpenter moved that the Committee on Corporations, in considering Assembly Bill No. 10, be authorized to send for persons and papers.

Adopted.

NOTICE.

Senator Goucher gave notice that on Monday next he will move that a special committee of three be appointed, with the authority to investigate the amount collected as pilot charges by the Pilot Commissioners of San Francisco during the past four years.

GENERAL FILE—(RESUMED)—FIRST READING OF BILLS.

SENATE JOINT RESOLUTION No. 4.

Relative to restricting undesirable immigration.

WHEREAS, A period in the history of our country has been reached where a further influx of immigrants is becoming a detriment and a menace to our prosperity and tranquillity; and whereas, it is the wish of the people of the State of California that stringent restriction be placed upon such unlimited and undesirable immigration by the enactment by Congress of needful laws requiring all persons from foreign countries who may wish to become residents or citizens of the United States of America to be the possessor of money or property in the sum of three hundred dollars, the purpose of said qualification of property being for our protection against the further landing on

our shores of hordes of criminals, paupers, and other undesirable classes; and whereas, it is an alleged fact that the custom in foreign countries is to withhold commitments of criminals, that the guilty may absent themselves by opportunities to cross the Atlantic Ocean; that paupers, the aged, maimed, blind, diseased, criminals, and others who have become a public charge, are aided to come to these shores; that we, the representatives of the people of California, object to the making of our country a dumping-ground of this class of people; that Congress should be asked to enact such laws as will in the future prevent any but those who will add to our prosperity, and not be a public charge on our taxpayers; that "self-preservation is the first law of nature," and that a great preponderance of our people will be benefited by the enactment of such a law, and are sorely in need of this relief, to the ends that foreign pauper labor and criminals shall be discouraged from seeking our borders and occupy with us, this our heritage, to the great injury of the present and coming generations; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring. That we do jointly ask the Congress of these United States to give us such relief as in their judgment seems best.

Resolved. That upon the adoption of the foregoing preamble and resolutions, it shall be the duty of the Governor to immediately transmit a copy of the same to each of our Representatives in Congress, to the presiding officer of each house, and to the President at Washington.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Hart, McAllister, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.
 NOES—Mr. Martin—1.

Senate Joint Resolution No. 8—Requesting Congress to enact a law limiting or prohibiting foreign immigration.

Senator Carpenter moved to amend by inserting in the resolution, in line three of the printed bill, after the word "foreign," the words "pauper or other undesirable."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Gesford, Goucher, Hart, Maher, Mitchell, Ostrom, Shippee, Simpson, Voorheis, and Williams—20.

NOES—Messrs. Earl, Everett, Flint, Ford, McAllister, McGowan, Mathews, Orr, Seawell, Seymour, Streeter, Whitehurst, and Wilson—13.

SENATE JOINT RESOLUTION No. 8.

Requesting Congress to enact a law limiting or prohibiting foreign immigration.

WHEREAS, We are convinced by facts, the existence of which we deplore, that there has been coming to our country for many years past, and now, from various countries an immigration of the most undesirable class, ignorant of our language and laws, not adapted to our institutions, incompetent to discharge the duties of citizenship, non-assimilative in its character, wholly foreign to every consideration of public good, dangerous to the safety and perpetuity of the Republic, and, in many instances, made up in part of insane, diseased, and criminal persons; and whereas, we deem it wrong, impolitic, and destructive to all those interests which it is the duty and obligation of every loyal American to conserve, that there should exist in our country a class of persons whose cheap labor comes in competition with the labor of our own citizens, native or adopted, thus depriving them of the labor and compensation which they are entitled to by every law of justice and right; and whereas, we believe that the introduction of a class of immigrants like many that we are now receiving, willing and ready to accept a low standard of wages, will have the effect of lowering the wages of labor, lessening the dignity of the American laborer, and by this means not only injuring our citizens, but, as a consequence, threatening the safety of the nation; and whereas, we are persuaded that the time has arrived in our national life that we have sufficient labor in our own country to develop our many resources, and that conditions have so changed that we no longer need immigration to settle upon our vacant public lands, or to supply the labor market; and whereas, we entertain the belief that it is the highest and best policy of this country to preserve the labor of the country for our citizens, native and adopted, now here, and that the condition of our industrial classes would be greatly improved, and a higher standard of wages for labor established, if the competition of cheap labor now being received from abroad and compelling American laborers to submit to the force of a factor in the labor market that naturally lessens their independence, was destroyed; therefore, be it

Resolved by the Senate, the Assembly concurring. That our Senators be requested and our Representatives instructed to frame and enact such law or laws as will successfully restrict or prohibit foreign pauper or other undesirable immigration; and be it further *Resolved*, That the Governor of this State transmit, forthwith, a copy of these resolutions to each of our Senators and Representatives in Congress.

The question then being on the adoption of the resolution as amended.

The roll was called, and the resolution as amended adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33

NOES—Messrs. Mahoney and Martin—2.

Senator Gesford in the chair.

SENATE JOINT RESOLUTION No. 9.

Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

WHEREAS, It is of the utmost importance for the business interests, that the people of the United States should have cheap communication and transportation, instead of being at the mercy of the telegraph companies; therefore, be it

Resolved by the Senate and Assembly of the State of California. That our Senators and Representatives in Congress be requested to use all honorable means to establish a postal telegraph in connection with the postal service of the United States; and be it further

Resolved, That the Governor be requested to forward copies of these resolutions to our Senators and Representatives in Congress, and to the President and Postmaster-General of the United States.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—Mr. Carpenter—1.

Senate Joint Resolution No. 7—Relative to providing for an amendment to the Constitution of the United States, prohibiting bankers and holders of bank stock holding seats in Congress.

Senator Wilson asked unanimous consent to withdraw Senate Joint Resolution No. 7.

Granted.

Senate Bill No. 73—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-four, relating to eight hours' labor.

Read first time.

The Hon. J. B. Reddick in the chair.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Read first time.

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and

ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Read first time.

ADJOURNMENT.

At three o'clock and thirty-five minutes P. M., on motion of Senator Goucher, the Senate adjourned until to-morrow at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Saturday, January 21, 1893. }

The Senate met pursuant to adjournment, at eleven o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Ford, Gesford, Goucher, Hart, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Broderick.

LEAVE OF ABSENCE.

Senator Mathews asked leave of absence for one day for Senator Flint.
Granted.

Senator Berry asked leave of absence for one day for Senator Harp.
Granted.

Senator Fay asked leave of absence for one day for Senator McAllister.
Granted.

Senator Goucher asked leave of absence for one day for Senator Langford.
Granted.

Senator Ostrom asked leave of absence for one day for Senator Earl.
Granted.

Senator Gesford asked leave of absence for one day for Senator McGowan.

Granted.

APPROVAL OF JOURNAL.

The Journals of Thursday, January 19, 1893, and of Friday, January 20, 1893, were approved.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of same, and to make appropriation therefor," approved March 11, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Joint Resolution No. 12—Relative to irrigation of arid and desert lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 21, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 2—An Act to increase the number of Judges of the Superior Court of Santa Clara County, State of California, and for the appointment of such additional Judge.

Also: Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 52—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure of the State of California, relating to the manner of selecting grand and trial jurors—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 69—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 29—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section sixty-three of said Act.

Also: Senate Bill No. 30—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section six of said Act, so that the same will read as follows.

Also: Senate Bill No. 32—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section twelve of said Act, so that the same will read as follows.

Also: Senate Bill No. 53—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section eight of said Act, so that the same will read as follows.

Also: Senate Bill No. 54—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section forty-eight of said Act, so that the same will read as follows.

Also: Senate Bill No. 57—An Act to amend sections six and nine of the Insolvent Act of 1880 of the State of California, relating to the orders of Court to be made upon filing petitions in insolvency.

Also: Senate Bill No. 58—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section fifty-five of said Act, so that the same will read as follows.

Also: Senate Bill No. 140—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section seventeen of said Act.

Have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that the substitute do pass.

McGOWAN, Chairman.

Senate Bill No. 69 re-referred to Committee on City, City and County, and Town Governments.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 21, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Also: Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Also: Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SIMPSON, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 105—An Act to prevent the use of fraudulent marks on merchandise—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Judiciary Committee.

Also: Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SHIIPPEE, Chairman.

Senate Bill No. 105 re-referred to Committee on Judiciary.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, January 21, 1893.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 72—An Act to provide for a day of rest from labor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and a half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MAHER, Chairman.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, January 21, 1893.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred the following resolution:

Resolved, That the Committee on Public Buildings other than Prison Buildings be increased from eleven to thirteen members, the two additional members to be appointed by the President of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

RAGSDALE, Chairman.

On motion of Senator Ragsdale, the resolution was adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Campbell: Senate Bill No. 418—An Act to appropriate money to pay the claim of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians.

Referred to Committee on Claims.

By Senator Mathews: Senate Bill No. 419—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, and to add a new section thereto, to be known and designated as section two thousand nine hundred and seventy-three, relating to chattel mortgages.

Referred to Committee on Judiciary.

Also: Senate Bill No. 420—An Act to make an appropriation to pay the claim of R. B. Young, assignee of Mackay & Skinner, for extra work upon the administration building of the Reform School for Juvenile Offenders, at Whittier, and make an appropriation for the same.

Referred to Committee on Finance.

By Senator Fay: Senate Bill No. 421—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 422—An Act relating to the publication of legal notices.

Referred to Committee on Judiciary.

Also: Senate Bill No. 423—An Act to promote ramie fiber and silk culture in California, and make an exhibition in the interest of the State at the World's Columbian Exposition, at Chicago, Illinois, 1893, and pay a deserving bonus to S. H. Slaughter for its promotion and exhibit.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

RESOLUTIONS.

By Senator Streeter:

Resolved, That the Sergeant-at-Arms is hereby directed to report the names of any of the attachés of the Senate under his supervision, who may be negligent or inefficient in the discharge of their duties, to the Committee on Attachés.

Adopted.

By Senator Hart:

Resolved, That the Controller is hereby directed to draw a warrant for five hundred and seventeen dollars and fifty cents in favor of the Secretary of State, for forty-five copies pocket edition of Codes and Constitution, and the Treasurer is authorized to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Ford, Gesford, Harp, Hart, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—27.

NOES—Messrs. Ostrom and Wilson—2.

Title read and approved.

On motion of Senator Maher, the Senate passed on file by unanimous vote the second reading of bills.

LEAVE OF ABSENCE.

Senator Carpenter asked leave of absence for one day for Senator Bailey.

Granted.

Senator Arms asked leave of absence for one day for Senator Biggy.

Granted.

PRESENTATION OF PETITION—(OUT OF ORDER).

By Senator Goucher: With the request that it be printed in the Journal, and referred to Committee on Counties and County Boundaries.

So ordered.

PETITION.

To the honorable the Senate and Assembly of the State of California:

GENTLEMEN: WHEREAS, A proposition is being advanced and a petition circulated for the division of Fresno County and the creation of a new county out of the territory lying north of the San Joaquin River and south of the southern boundaries of Mariposa and Merced Counties, the undersigned, residents and taxpayers of the territory proposed to be segregated, respectfully and earnestly remonstrate against such action, and petition your honorable bodies to refuse and reject the prayer of the petition first aforesaid.

We protest against the creation of the proposed new county for the following and other reasons:

First—The time is not opportune.

Second—The said division would be injurious to all the people now owning property within the territory affected.

Third—The proposed new county does not possess the taxable property nor the absolute, necessary population for a county.

Fourth—There are no exigencies that demand its creation.

Fifth—Its creation would cause an extra and unnecessary burden on the taxpayers within the territory affected.

Signed by H. D. Colson, President of the Fresno National Bank, and four hundred and seventy-five others.

FIRST READING OF BILLS.

Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new sec-

tion to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Read first time.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read first time.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Read first time.

Senate Bill No. 34—An Act to provide for furnishing clerks and copyists to the County Clerk of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Read first time.

Senate Bill No. 93—An Act to amend sections two and five of an Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto, approved March 14, 1889.

Read first time.

Senate Bill No. 279—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the consolidation of colleges and institutions of higher education.

Read first time.

Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employes by the Board of Health of the City and County of San Francisco.

Read first time.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Read first time.

Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read first time.

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State.

Read first time.

Senate Bill No. 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Read first time.

Senate Bill No. 138—An Act relating to interest and usury.

Read first time.

Senate Bill No. 277—An Act to repeal an Act entitled “An Act to establish and support a Bureau of Labor Statistics,” approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Senator Maher moved that Senate Bill No. 277 be passed, and that it retain its place on the file.

So ordered.

Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Read first time.

Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Read first time.

At eleven o'clock and fifty-five minutes A. M., Senator Broderick moved to adjourn until Monday at two o'clock P. M.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Broderick, Denison, Everett, Fay, Gesford, Harp, Hart, Maher, Martin, Mitchell, Seymour, Shippee, and Simpson—13.

NOES—Messrs. Arms, Berry, Burke, Campbell, Carpenter, Dunn, Goucher, Mathews, Orr, Ostrom, Ragsdale, Seawell, Streeter, Voorheis, Whitehurst, and Wilson—16.

Senator Maher asked for one day's leave of absence.

Refused.

Senator Everett asked for one day's leave of absence.

Refused.

Senator Simpson asked for one day's leave of absence.

Refused.

ADJOURNMENT.

At twelve o'clock M., on motion of Senator Carpenter, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, January 23, 1893. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

LEAVE OF ABSENCE.

Senator Biggy asked leave of absence for one day for Senator Arms. Granted.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Burke.

REPORTS OF STANDING COMMITTEES.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 21, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry, at Lone, and for furnishing and equipping the same.

Also: Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurer.

Also: Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

Also: Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Also: Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of the State.

Also: Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

RAGSDALE, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth of January, passed Senate Concurrent Resolution No. 3—Relative to the investigation of the Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Senate Concurrent Resolution No. 3 ordered to enrollment.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ragsdale: Senate Bill No. 424—An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estate of deceased persons, to be known as section one thousand six hundred and seventy.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 425—An Act supplemental to an Act entitled "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel," approved March 10, 1891, and to pro-

vide for the examination, approval, and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said Act.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Mitchell: Senate Bill No. 426—An Act to provide for the payment to the State of California, by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Referred to Committee on City, City and County, and Town Governments.

By Senator Mahoney: Senate Bill No. 427—An Act requiring persons or corporations owning, controlling, or operating lines of street railways in cities, and cities and counties, of this State, having a population of over one hundred thousand inhabitants, to pay in to the Treasurers of such cities, and cities and counties, nine per centum of their gross receipts, for the improvement of parks and public squares.

Referred to Committee on City, City and County, and Town Governments.

By Senator Orr: Senate Bill No. 428—An Act to repeal section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women.

Referred to Committee on Judiciary.

Also: Senate Bill No. 429—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Referred to Committee on Judiciary.

Also: Senate Bill No. 430—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice or Police Court for a public offense.

Referred to Committee on Judiciary.

Also: Senate Bill No. 431—An Act to amend sections nine hundred and fifteen, nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, nine hundred and thirty-seven, of an Act entitled "An Act to establish a Penal Code," adopted February 4, 1872, relating to presentments by a grand jury.

Referred to Committee on Judiciary.

By Senator Earl: Senate Bill No. 432—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Referred to Committee on Claims.

Also: Senate Bill No. 433—An Act authorizing the Superintendent of

State Printing to have prepared and printed an index to all the laws of California, 1850-1893.

Referred to Committee on Public Printing.

By Senator Williams: Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Broderick: Senate Bill No. 435—An Act to amend section six hundred and sixteen of the Political Code, relative to foreign corporations, and the conditions on which they may transact business in this State.

Referred to Committee on Corporations.

By Senator Mahoney: Senate Bill No. 436—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board.

Referred to Committee on Labor and Capital.

By Senator Hart: Senate Bill No. 437—An Act to provide for the adjustment of the indebtedness and assets between any county that has been created, or may hereafter be created, and the county or counties from the territory of which such new county may be created.

Referred to Committee on Counties and County Boundaries.

By Senator McGowan: Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Referred to Committee on Judiciary.

By Senator Biggy: Senate Bill No. 439—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Referred to Committee on Judiciary.

By Senator Harp: Senate Bill No. 440—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the presentation of false proofs in support of a claim of a policy of insurance.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 23, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors," etc., relating to setting apart exempt property and a homestead for the insolvent, and providing for giving notice thereof.

Also: Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to the estates of deceased persons.

Also: Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Also: Senate Joint Resolution No. 8—Relative to requesting Congress to enact a law limiting or prohibiting foreign immigration.

Also: Senate Joint Resolution No. 4—Relative to restricting undesirable immigration.

Also: Senate Joint Resolution No. 9—Relative to the establishment of a postal telegraph in connection with the postal service of the United States.

RAGSDALE, Chairman.

PRESENTATION OF PETITION—(OUT OF ORDER).

Senator Goucher presented the following protest, which, on motion, was ordered printed in the Journal:

To the honorable the members of the Senate and Assembly of the State of California in Legislature assembled:

The undersigned, owners of lands and property of Fresno County, State of California, respectively owning the number of acres of land in such county set opposite our names below, do hereby earnestly object to, and protest against, the creation of a new county, to be known as "Madera County," out of a part of the territory now included within said county of Fresno, and of the territory now included within said county of Fresno, and including the lands and property above mentioned, and to the creation of any new county out of any part of the territory of said Fresno County.

And in support of such objection and protest, the undersigned respectfully urge the following facts and reasons, to wit:

1. That the creation of such new county is not legitimately required or needed by any of the inhabitants or property owners of said Fresno County; on the contrary, that the present county government of said Fresno County is entirely adequate for any legitimate purpose.

2. That in order to support a county government including the territory of said "Madera County," as proposed, the taxes upon the property within such territory must be greatly increased, if not doubled, without receiving or securing any corresponding benefit therefor.

3. That the creation of such new county would take from the owners of lands within the territory to be included therein, the great and substantial advantage now derived from the fact that such lands are included within Fresno County, the climatic and natural advantages of which have been thoroughly advertised, and are well known throughout the United States and Europe, thus giving to the lands therein a value among purchasers abroad which would be taken from them by the creation of such new county.

4. That the creation of said "Madera County" is against the wishes and interests of three fourths of the land and other property interests to be affected thereby, while those in favor of such change are mainly persons owning lands in or near the town of Madera, the proposed county seat of such new county, and others who expect to hold office under the government of said "Madera County."

Signed by Sierra Vista Vineyard Company and others representing 368,444 acres of land.

GENERAL FILE—SECOND READING OF BILLS.

Senate Bill No. 61—An Act to prevent persons from entering upon the inclosed lands of another for the purpose of shooting, or hunting, or fishing, or discharging firearms thereon.

Senator Gesford asked unanimous consent to withdraw Senate Bill No. 61, and moved that Senate Bill No. 62 be substituted on the file in place thereof.

So ordered.

Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Senator McGowan moved that Senate Bill No. 71 be passed, and that it retain its place on the file.

So ordered.

Senate Bill No. 73—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-four, relating to eight hours' labor.

Senator Maher moved to amend by inserting before the word "all," in line six, printed bill, the following: "Sec. 2;" and in line seven, before the word "the," the following: "Sec. 3," so as to read as follows:

SEC. 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

SEC. 3. This Act to take effect and be in force from and after its passage.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

On motion of Senator Ostrom, Senate Bill No. 214 was temporarily passed on file.

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 34—An Act to provide for furnishing clerks and copyists to the County Clerk of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 93—An Act to amend sections two and five of an Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto, approved March 14, 1889.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 279—An Act to amend the Civil Code, by adding to

part four, division one, a new title, providing for the consolidation of colleges and institutions of higher education.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employes by the Board of Health of the City and County of San Francisco.

Senator Dunn offered the following amendment:

Amend by inserting in line twenty-eight of printed bill, before the word "this," the following: "Section 2."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 138—An Act relating to interest and usury.

Read second time.

Senator Voorheis moved that Senate Bill No. 138 be re-referred to Committee on Judiciary.

Senator Burke moved as an amendment that the bill be re-referred to Committee on Finance.

Senator Voorheis moved as an amendment to the amendment that the bill be referred to Committee on Banks and Banking.

The question being on the amendment to the amendment, the same was lost.

The question then being on the amendment offered by Senator Burke, the same was lost.

The question then recurring on the motion offered by Senator Voorheis, the same was carried, and Senate Bill No. 138 re-referred to Committee on Judiciary.

Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Committee amendment as follows, adopted:

Amend by striking out of section two, line seven, printed bill (line nine, original), the words "and other actual consumers."

Senator Ostrom moved to amend by inserting an enacting clause, as follows:

The people of the State of California, represented in Senate and Assembly, do enact as follows.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 441—An Act to amend section seven of an Act entitled "An Act to amend section two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and fifty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder," approved March 31, 1891.

Referred to Committee on Roads and Highways.

By Senator Mahoney: Senate Bill No. 442—An Act to prevent the leading, taking, carrying away, decoying, or enticing away any child under the age of ten years from the parent or parents, or other persons having the lawful charge or possession of such child, and affixing penalties for violation of this Act.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 443—An Act to amend section one thousand two hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court, and punishment thereof.

Referred to Committee on Judiciary.

SENATE JOINT RESOLUTION.

By Senator McGowan: Senate Joint Resolution No. 4—Requesting the laying of a telegraph cable line from Northwest Seal Rock Light-house, in Del Norte County, to Trinidad, Humboldt County.

Referred to Committee on Federal Relations.

MOTION.

Senator Mahoney moved that the Committee on Corporations be instructed to report back forthwith Senate Bills Nos. 78 and 87 to the Senate, for the purpose of re-referring said bills to the Committee on City, City and County, and Town Governments.

So ordered.

PRESENTATION OF PETITION—(OUT OF ORDER).

By Senator Harp:

MERCED, CAL., January 21, 1893.

To the Hon. THOMAS HARP, Sacramento, Cal.:

We, the undersigned, citizens of the county of Merced, do most respectfully request that you do whatever you can, by honorable means, to promote the organization of the county petitioned for by the people of Madera and vicinity, said proposed county to be

formed out of the territory embraced in Fresno County, believing it for the best interest of the people therein petitioning.

Respectfully submitted.

Signed by J. F. King and forty-one others.

Referred to Committee on Counties and County Boundaries.

RESOLUTION.

By Senator McGowan:

Resolved, That the sum of twenty-eight dollars be and the same is hereby appropriated to pay John Cummings for services as Porter of rooms of Judiciary Committee of the Senate, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

Senator Goucher, in compliance with the following notice, given by him on Friday, January 20, 1893:

On Monday next I will move that a special committee of three be appointed, with the authority to investigate the amount collected as pilot charges by the Pilot Commissioners of San Francisco during the past four years.

Moved that said special committee be appointed by the President.

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The President appointed as such committee, Senators Goucher, Streeter, and Hart.

APPOINTMENT OF ADDITIONAL MEMBERS OF COMMITTEE.

The President appointed as additional members of the Committee on Public Buildings other than Prison Buildings, as per resolution of Senator Everett, adopted Friday, January 20, 1893, Senators Arms and Broderick.

MOTIONS.

Senator Mathews moved that the Committee on City, City and County, and Town Governments be instructed to report back forthwith Senate Bill No. 97, so that he may, with the consent of the Senate, withdraw the same.

So ordered.

Senator Biggy moved that the Committee on City, City and County, and Town Governments be instructed to report back forthwith Senate Bill No. 394, so that he may, with the consent of the Senate, withdraw the same.

So ordered.

ADJOURNMENT.

At three o'clock and fifty-five minutes P. M., on motion of Senator Campbell, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 24, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streefer, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Broderick.

PRESENTATION OF PETITIONS.

By Senator Goucher, with a request that the body of the same be printed in the Journal and referred to the Committee on Counties and County Boundaries.

So ordered.

PETITION FOR THE COUNTY OF KINGS.

To the honorable the Senate and Assembly of the State of California in Legislature Assembled, in 1893:

We, the undersigned, beg leave to represent and petition your honorable body as follows:

1. That we are residents, electors, and taxpayers of the territory hereinafter described.
2. That your honorable body create and establish a county, to be named county of Kings, out of the territory hereinafter described.

3. That the territory hereinafter set forth contains over 7,000 inhabitants and over \$9,000,000 of assessable property, as shown by the assessment roll of the present county of Tulare for the year 1892.

4. That the volume of business transacted in said territory justifies and demands the creation of a new county.

5. That the creation and establishment of said county will leave 17,000 people and \$14,000,000 assessable property in Tulare County. It will thus be seen that every constitutional requirement exists in favor of the creation and establishment of a new county out of the county of Tulare, embracing the following territory, to wit:

Commencing at the point where the fourth standard line intersects the boundary line between Tulare and Fresno Counties, thence east to the northeast corner of Section 1, Township 17 S., R. 22 E., M. D. M.; thence south six miles; thence east three miles; thence south eighteen miles; thence east to the northeast corner of Section 3, Township 21 S., R. 23 E., M. D. M.; thence south to southeast corner of Section 34, Township 21 S., R. 23 E., M. D. M.; thence east to northeast corner of Section 4, Township 22 S., R. 24 E.; thence south eighteen miles to boundary line between Kern and Tulare Counties; thence west along the said boundary line to the boundary line between Tulare and Monterey Counties as they now exist; thence along the said boundary line between Fresno and Tulare Counties to the point where the boundary line between Fresno, Tulare, and Monterey Counties intersect; thence in a northeasterly direction along the boundary line between Fresno and Tulare Counties as it now exists to the place of beginning.

And your petitioners will ever pray.

Signed by David Ross and about one thousand others.

REPORT OF STANDING COMMITTEE.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 23, 1893

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 97—An Act to amend section forty-three of an Act entitled "An Act to provide work upon streets, lanes, alleys, courts, places, and sidewalks, and for construction of sewers, within municipalities," approved March 18, 1885, as amended by an Act approved March 17, 1891, which added section forty-three to said original Act.

Also: Senate Bill No. 394—An Act authorizing the Board of State Harbor Commissioners to grant, for a limited period of time, to persons or corporations the right to run and operate street cars between the hours of six A. M. and seven P. M. of each day, for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon State lands and lands within their jurisdiction, along the exterior waterfront line of the City and County of San Francisco.

Have had the same under consideration, and respectfully report the same back without recommendation.

BAILEY, Chairman.

Senator Earl, on behalf of the Committee on Constitutional Amendments, asked power to send for persons and papers relative to Senate Constitutional Amendment No. 8.

Granted.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of January, passed Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of the Code of Civil Procedure.

GEO. W. PECKHAM, Chief Clerk.
By J. T. RYAN, Assistant.

Assembly Bill No. 27 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ragsdale: Senate Bill No. 444—An Act to amend an Act entitled "An Act to protect agriculture, and to prevent the trespassing of animals upon private property," approved March 22, 1872.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Arms: Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Referred to Committee on Judiciary.

By Senator Harp: Senate Bill No. 446—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County Government and Township Organization.

By Senator Hart: Senate Bill No. 447—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services

as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Referred to Committee on Claims.

By Senator Ostrom: Senate Bill No. 448—An Act concerning champerty and maintenance, and to punish those guilty thereof.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 449—An Act to create the county of Santa Rita, to establish the boundaries thereof, and to provide for its organization.

Referred to Committee on Counties and County Boundaries.

By Senator Earl (by request): Senate Bill No. 450—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Referred to Committee on Finance.

By Senator Maher: Senate Bill No. 451—An Act to amend sections one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, and one thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to guardian and ward.

Referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator Carpenter:

Resolved, That the Committee on Corporations may employ a stenographer during the consideration of Assembly Bill No. 10, at a salary of ten dollars per day, and ten cents a folio for writing out, and that said committee have to sit in the Senate Chamber for its meetings in the consideration of said bill.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Campbell, Carpenter, Earl, Flint, Ford, Goucher, Hart, Maher, Mathews, Orr, Ragsdale, Simpson, and Streeter—15.

NOES—Messrs. Berry, Burke, Dunn, Fay, Harp, Martin, Mitchell, Ostrom, and Wilson—9.

LEAVE OF ABSENCE.

At ten o'clock and twenty-five minutes A. M. the Committee on State Prisons and Prison Buildings were excused for one half hour.

RESOLUTIONS.

By Senator Goucher:

Resolved, That Edgar Stack be and he is hereby appointed Page of the Senate, at a per diem of three dollars, payable out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Dunn, Earl, Fay, Ford, Goucher, Harp, Hart, Maher, Mahoney, Martin, Mitchell, Orr, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—22.

NOES—Messrs. Carpenter, Mathews, Ostrom, and Whitehurst—4.

By Senator Earl:

Resolved, That the Chairman of the Committee on Constitutional Amendments be and he is hereby authorized to employ a stenographer to attend the sessions of said committee during the consideration of Senate Constitutional Amendment No. 8; said stenographer to receive as compensation a per diem of ten dollars, and ten cents per folio for transcribing.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Everett, Ford, Gesford, Goucher, Harp, Maher, Mahoney, Mathews, Orr, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.

NOES—Messrs. Fay and Mitchell—2.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 24, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 206—An Act making an appropriation to pay deficiency in appropriation for support of State Asylum at Stockton, California, for forty-second and forty-third fiscal years.

Also: Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for expenses thereof."

Also: Senate Bill No. 200—An Act providing for presentation and cancellation of unlocated school land warrants of State of California.

Also: Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets or public highways of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government, at all times while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

RAGSDALE, Chairman.

GENERAL FILE—(THIRD READING OF BILLS).

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—28.

NOES—Messrs. Berry, Dunn, Fay, Ostrom, and Wilson—5.

Title read and approved.

Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, Whitehurst, and Williams—29.

NOES—None.

Title read and approved.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

On motion of Senator Goucher, Senate Bill No. 25 was passed on file.
Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—29.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, January 24, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article eleven thereof, relative to the right of suffrage—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

Senate Constitutional Amendment No. 4 ordered on special file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 47—An Act to amend an Act entitled “An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties in the State.”

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—30.

NOES—None.

Title read and approved.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled “An Act to establish a Penal Code,” approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

On motion of Senator Carpenter, Senate Bill No. 18 was passed on file.

Senate Bill No. 11—An Act to amend section sixty of an Act entitled “An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors,” approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—33.

NOES—None.

Title read and approved.

Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Flint, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Martin, Mathews, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—25.

NOES—Messrs. Orr and Seymour—2.

Title read and approved.

Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—31.

NOES—None.

Title read and approved.

MOTION.

Senator Broderick moved that all Senate Bills passed by the Senate be immediately transmitted to the Assembly.

So ordered.

SECOND READING OF BILLS.

Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

On motion of Senator McGowan, Senate Bill No. 71 was passed on file temporarily.

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Read second time, ordered engrossed and on file for third reading.

FIRST READING OF BILLS.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

On motion of Senator Maher, Senate Bill No. 277 was passed on file.

Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Read first time.

Senate Joint Resolution No. 12—Relative to irrigation of arid and desert lands.

The roll was called, and Senate Joint Resolution No. 12 adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Gesford, Harp, Hart, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Senate Bill No. 2—An Act to increase the number of Judges of the Superior Court of Santa Clara County, State of California, and for the appointment of such additional Judge.

Read first time.

Senator Whitehurst moved to strike out the enacting clause.

Senator Bailey, the author, asked unanimous consent to withdraw Senate Bill No. 2.

Granted.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Read first time.

Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Read first time.

Senate Bill No. 52—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure of the State of California, relating to the manner of selecting grand and trial jurors.

Read first time.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act entitled "An Act for the relief of insolvent debtors, the protection of creditors, and the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

Substitute bill read first time.

Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Read first time.

Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Read first time.

Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California.

Read first time.

Senate Bill No. 72—An Act to provide for a day of rest from labor.

Read first time.

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read first time.

QUESTION OF PRIVILEGE.

Senator Mathews addressed the Senate on a question of privilege, in reference to an article which appeared in the San Francisco "Daily Report" of January 23, 1893. In contradiction of substance of said article, he claimed that he was not pledged by voice or vote to any corporation in the State of California. At the last election, he did pledge the people of his district that he would serve them honestly and faithfully, and at the end of the session the Journal of this body will show that he has been true to the trust imposed upon him by the Republicans and Democrats of his district.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator McAllister (by request): Senate Bill No. 452—An Act to provide for a topographical survey and map of the State of California, and appropriating money to pay for the same.

Referred to Committee on Education and Public Morals.

By Senator Earl: Senate Bill No. 453—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to street railroad corporations.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 454—An Act creating a Board of Commissioners of Loan Associations, and prescribing their duties and powers.

Referred to Committee on Judiciary.

SECOND READING OF BILLS—(RESUMED).

Senator McGowan moved to take up Senate Bill No. 71, temporarily passed on file.

So ordered.

Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of butter and of cheese, and to appropriate money for its enforcement.

Senator McGowan offered the following substitute for Senate Bill No. 71, and asked that the same be printed.

So ordered.

SUBSTITUTE FOR SENATE BILL No. 71.

An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. That for the purposes of this Act, every article, substance, or compound, other than that produced from pure milk, or cream from the same, made in the semblance of butter, and designed to be used as a substitute for butter made from pure

milk, or cream from the same, is hereby declared to be imitation butter; *provided*, that the use of salt, or harmless coloring matter for coloring the product of pure milk or cream, shall not be construed to render such product an imitation.

SEC. 2. Each person who manufactures imitation butter shall mark, by branding, stamping, and stenciling upon the top and sides of each tub, firkin, box, or other package in which such article shall be kept, and in which it shall be removed from the place where it is produced, in a clear and durable manner, in the English language, the words "imitation butter," in printed letters in plain Roman type, each of which shall not be less than one inch in height by one half of an inch in width.

SEC. 3. No person, by himself or another, shall knowingly ship, consign, or forward by any common carrier, whether public or private, any imitation butter, unless the same be marked as provided by section two of this Act; and no carrier shall knowingly receive, for the purpose of forwarding or transporting, any imitation butter, unless it shall be marked as hereinbefore provided, consigned and by the carrier receipted for as "imitation butter;" *provided*, that this Act shall not apply to any goods in transit between foreign States and across the State of California.

SEC. 4. No person shall knowingly have in his possession or under his control any imitation butter, unless the tub, firkin, box, or other package containing the same be clearly and durably marked, as provided by section two of this Act.

SEC. 5. No person, by himself or another, shall knowingly sell or offer for sale imitation butter under the name of or under the pretense that the same is pure butter; and no person, by himself or another, shall knowingly sell any imitation butter unless he shall have informed the purchaser distinctly, at the time of the sale, that the same is imitation butter, and shall have delivered to the purchaser at the time of the sale a statement clearly printed in the English language, which shall refer to the articles sold, and which shall contain, in prominent and plain Roman type, the words "imitation butter," and shall give the name and place of business of the maker.

SEC. 6. No keeper of a hotel, boarding house, restaurant, or other public place of entertainment, shall knowingly place before any patron for use as food any imitation butter, unless the same be accompanied by a placard containing the words "imitation butter," printed in plain Roman type, and by verbal notification to said patron that such substance is imitation butter.

SEC. 7. No person, by himself or another, shall knowingly peddle, sell, or deliver from any cart, wagon, or other vehicle, upon the public streets or highways, imitation butter, unless said cart, wagon, or other vehicle shall have on both sides the placard, in printed letters of plain Roman type, each of which letters shall be not less than two inches in height by one inch in width, "Imitation Butter."

SEC. 8. No action can be maintained on account of any sale or other contract made in violation of or with intent to violate this Act by or through any person who was knowingly a party to such wrongful sale or other contract.

SEC. 9. Every person having possession or control of any imitation butter, which is not marked as required by the provisions of this Act, shall be presumed to have known during the time of such possession or control that the same was imitation butter.

SEC. 10. No person shall efface, erase, cancel, or remove any mark provided for by this Act with intent to mislead, deceive, or to violate any of the provisions of this Act.

SEC. 11. No butter not made wholly from pure milk or cream, salt, or harmless coloring matter, shall be used in any of the charitable or penal institutions that receive assistance from the State.

SEC. 12. Whoever shall violate any of the provisions or sections of this Act shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished for the first offense by a fine of not less than seventy-five dollars nor more than one hundred and fifty dollars, or by imprisonment in the county jail for not exceeding thirty days, and for each subsequent offense by a fine of not less than two hundred and fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than six months, or by both such fine and imprisonment, in the discretion of the Court.

SEC. 13. The Governor shall, immediately upon the enactment of this Act, appoint three resident citizens of the State, who shall have practical experience in the manufacture of dairy products, to constitute a State Dairy Bureau, one of whom to serve three years, one for two years, and one for one year from the first day of April, A. D. one thousand eight hundred and ninety-three, or until his successor is appointed and qualified; and on or before the first day of April in each succeeding year, the Governor shall appoint a person, who shall have the aforesaid necessary qualification, to serve as a member of the Dairy Bureau for the next ensuing three years, or until his successor is appointed and qualified. The members of said Bureau shall serve without compensation, and, within twenty days after their appointment, shall take the oath of office as required by the Constitution; and they shall thereupon meet and organize by electing a Chairman and a Treasurer, and shall, by lot or otherwise, determine which of their number shall serve for three years, and which for two years, and which for one year. Any one of them may be removed from office by the Governor for neglect or violation of duty. Any vacancy shall be filled by appointment by the Governor. They shall make biennial reports in detail to the Legislature, not later than the first day of December next preceding each session of the Legislature, of the number of assistants, experts, chemists, agents, and counsel employed, and of their expenses and disbursements, with such other information as shall be for the advantage of the dairy interests in the State, and of all investigations made by them, with all cases prosecuted and the results of

such prosecution. Said report to be published with the report of the State Agricultural Society.

SEC. 14. It shall be the duty of the State Dairy Bureau to secure, so far as possible, the enforcement of this Act. The State Dairy Bureau shall have power to enforce all laws relating to dairy products, and to imitations thereof, and to employ a Secretary at a salary of twelve hundred dollars a year, and such agents, assistants, experts, chemists, or counsel as may from time to time be necessary therefor. The Chairman of the State Dairy Bureau shall have power, in all cases where he shall deem it important for the discharge of the duties of his office, to administer oaths, to issue subpoenas for witnesses, and to examine them under oath, and to enforce their attendance to the same extent and in the same manner as a Justice of the Peace may now do; and such witnesses shall be paid by the Treasurer of the State Dairy Bureau the same fees now allowed in Justice's Court.

SEC. 15. Whoever shall have possession or control of any imitation butter, contrary to the provisions of this Act, shall be construed to have possession of property with intent to use it as a means of committing a public offense, within the meaning of chapter three of title twelve of part two of an Act to establish a Penal Code; *provided*, that it shall be the duty of the officer who serves a search warrant issued for imitation butter, to deliver to the Secretary of the Dairy Bureau, or to any person by such Dairy Bureau authorized in writing to receive the same, a perfect sample of each article seized by virtue of such warrant, for the purpose of having the same analyzed, and forthwith to return to the person from whom it was taken the remainder of each article seized as aforesaid. If any sample be found to be imitation butter, it shall be returned to and retained by the magistrate as and for the purpose contemplated by section fifteen hundred and thirty-six of an Act to establish a Penal Code; but if any sample be found not to be imitation butter, it shall be returned forthwith to the person from whom it was taken.

SEC. 16. It shall be the duty of the District Attorney, upon the application of the Secretary of the Dairy Bureau, to attend to the prosecution, in the name of the State, of any suit brought for the violation of any of the provisions of this Act within his district.

SEC. 17. There is hereby appropriated, for the use of this State Dairy Bureau, out of any money in the State Treasury not otherwise appropriated, the sum of twelve thousand dollars (\$12,000), of which sum not more than two thousand dollars (\$2,000) shall be expended during the unexpired portion of the forty-fourth fiscal year, and not more than five thousand dollars (\$5,000) shall be expended during the forty-fifth fiscal year, and not more than five thousand dollars (\$5,000) shall be expended during the forty-sixth fiscal year. All salaries, fees, costs, and expenses of every kind incurred in the carrying out of the law shall be drawn from the sum so appropriated; and the State Controller shall draw his warrant on the State Treasurer in favor of the Treasurer of the Dairy Bureau for the same.

SEC. 18. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

SEC. 19. This Act shall take effect immediately.

PRESENTATION OF PETITIONS—(OUT OF ORDER).

Senators Voorheis, Mathews, Flint, McGowan, Maher, Harp, and Ostrom presented petitions relative to the passage of a Sunday law, as follows:

To the California House of Representatives of 1893:

We, the undersigned, citizens of the State of California, twenty-one years of age and over, most earnestly petition your honorable body to enact a law forbidding all Sunday traffic and work, as well as all coarse and noisy amusements on that day of the week, making suitable exception for works of necessity and mercy, and for private work by those who religiously and regularly observe another day of the week by abstaining from labor and business on the same.

Signed by citizens residing in their respective districts.

The petitions were all referred to Committee on Education and Public Morals.

ADJOURNMENT.

At eleven o'clock and forty-five minutes A. M., on motion of Senator Broderick, the Senate adjourned until to-morrow at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 25, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Harp.

PRESENTATION OF PETITIONS.

Senators Goucher, Martin, Gesford (by request), Maher, and Seawell presented petitions, relative to the passage of a Sunday law, as follows:

To the California House of Representatives of 1893:

We, the undersigned, citizens of the State of California, twenty-one years of age and over, most earnestly petition your honorable body to enact a law forbidding all Sunday traffic and work, as well as all coarse and noisy amusements on that day of the week, making suitable exception for works of necessity and mercy, and for private work by those who religiously and regularly observe another day of the week by abstaining from labor and business on the same.

Signed by citizens residing in their respective districts.

The petitions were all referred to Committee on Education and Public Morals.

The petition presented by Senator Goucher contained one hundred and sixty-five signatures.

The petition presented by Senator Martin contained one hundred and eighty signatures.

The petition presented by Senator Gesford contained seven hundred and sixty signatures.

The petition presented by Senator Maher contained two hundred and twelve signatures.

The petition presented by Senator Seawell contained six hundred and four signatures.

Senator Maher also presented the following petition, and asked that it be printed in full in the Journal.

So ordered.

To the Legislature of the State of California:

The California State Branch of the International Bakers and Confectioners' Union of America, composed of delegates from the various bakers' unions of California, in semi-annual convention, assembled in Sacramento on the ninth, tenth, and eleventh days of January, inst., respectfully petition and memorialize your honorable bodies in favor of the passage of the bill providing one day's rest from labor in seven, and present the following reasons therefor:

First—Certain bakers of San Francisco working by night, some of them from five o'clock p. m. to six or seven o'clock the following morning, are compelled to work seven days every week, and only submit thereto through fear of being discharged from their employment, and as this bill does not interfere with the working of any establishment in the State seven days a week, but only guarantees the employé one day's rest in seven, we think it is not too much to ask for the passage of this bill in the interest of over-worked labor.

Second—Twelve years ago, upon petition of all the journeymen and 95 per cent of all the employing bakers of San Francisco, who work by night seven days a week, a law was enacted providing for a day of rest for said bakers, and in spite of the fact that 95 per cent of all said employing bakers desired to cease labor one day in seven, through the machinations of the other 5 per cent the Supreme Court declared the law unconstitutional, on the ground that it was a special law for the bakers alone, and not in the interest of all branches of labor, and consequently the bakers were again doomed to work seven days a week.

Third—In San Francisco nearly all the shops, where the labor of making bread is performed, are situate under the retail stores, are very low, and some of them scarcely above the level of the street sewer. The ventilation is consequently bad at the best, and there are times when all fresh air is excluded from the bake-room during a certain process of the baking. In some cases sewage has been known to exude, making the stench sickening. Underground workshops of necessity must be unhealthy, and to compel men to work seven days a week continuously under such conditions, is something unheard of, even among barbarous nations, and should not be tolerated anywhere, especially under a republican form of government, where the people elect their own representatives to make laws for them.

Fourth—The journeymen bakers of San Francisco have on many occasions tried to come to some agreement with their employers for a day of rest, but have always failed to do so, because a few of the larger employers—who do not labor themselves—refused to grant the boon to their employé; but the great majority of the employers have always been willing and anxious for one day of rest in seven, provided it was made unanimous; and at the present time one hundred and five employers out of about one hundred and thirty have signified, in writing, their assent to adopt a day of rest when the others can be brought into the agreement.

For these reasons, and knowing it to be contrary to good morals and health to be tyrannical and opposed to the welfare of the commonwealth, we respectfully ask your honorable bodies to grant the required relief by enacting the law for a day of rest.

This petition was ordered drawn and presented to your honorable bodies by the above-named Baker's Convention.

[SEAL.]

CHS. ULLRICH, Secretary.

Referred to Committee on County Government and Township Organization.

CORRECTION OF JOURNAL.

Senator Goucher asked that the Journal of yesterday be corrected on page eleven, as follows: That the petitions relating to the passage of a Sunday law be referred to the Committee on Education and Public Morals instead of Committee on Labor and Capital.

So ordered.

WITHDRAWAL OF BILL.

Senator Everett asked unanimous consent to withdraw Senate Bill No. 302, and insert a substitute in lieu thereof.

Granted.

The Committee on City, City and County, and Township Governments was instructed to report back at once Senate Bill No. 302.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 24, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 260—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Military Affairs.

Also: Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico, for expenses incurred in recruiting and maintaining military companies.

Also: Senate Bill No. 408—An Act to provide for payment of the claim of C. C. Rochford.

Also: Senate Bill No. 410—Making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Senate Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Also: Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General, when engaged in contests between the State and the United States, in relation to public lands, for the forty-third fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Claims.

Also: Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Senate Bill No. 223—An Act making an appropriation for fence in front of the grounds of the State Normal School building at Chico.

Also: Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 235—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Senate Bill No. 236—An Act appropriating the sum of three thousand dollars for furnishing the Training Department building of the State Normal School at San José, California.

Also: Senate Bill No. 237—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School at San José, California.

Also: Senate Bill No. 320—An Act appropriating twenty thousand dollars for erection and construction of sewer for Agnews Insane Asylum.

Also: Senate Bill No. 319—An Act appropriating one hundred and seventy-five thousand dollars for erection of additional building at Agnews for use of insane, to appropriate funds therefor, and to provide for the expenditure of the same.

Also: Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 304—An Act making an appropriation for the erection of buildings and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money for the same—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Also: Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Also: Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

Also: Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5; and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Also: Senate Bill No. 213—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Also: Senate Bill No. 313—An Act to provide a depository for the county funds.

Also: Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times" for advertising the election proclamation in the forty-second fiscal year.

Also: Senate Bill No. 126—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Also: Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Also: Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

Senate Bill No. 260 re-referred to Committee on Military Affairs.

Senate Bills Nos. 188, 408, 410, 409, and 341 re-referred to Committee on Claims.

Senate Bills Nos. 222, 223, 224, 235, 236, 237, 319, 320, and 365 re-referred to Committee on Public Buildings other than Prison Buildings.

Senate Bill No. 304 re-referred to Committee on State Prisons and Prison Buildings.

Senate Bill No. 311 re-referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 296—An Act for the relief of Charles F. Wells—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 135—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 56—An Act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery.

Also: Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan for services rendered for the State Board of Fish Commissioners as special attorney therefor during the year 1890.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 118—An Act for the relief of the widow of Albert P. Crigler—have had the same under consideration, and respectfully report the same back without recommendation.

CAMPBELL, Chairman.

ON STATE LIBRARY AND RULES.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on State Library and Rules, to whom was referred Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled an Act to establish free libraries—have had the same under consideration, and respectfully report the same back without recommendation.

RAGSDALE, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed—have had the same under consideration, and respectfully report the same back, and recommend that the substitute do pass.

BAILEY, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, January 24, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 8—have had the same under consideration, and respectfully report back as a committee substitute therefor the accompanying resolution. This substitute is not reported back with recommendation at all, but simply and solely that it may be printed and again referred to said committee for further consideration.

EARL, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 24, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Also: Senate Bill No. 107—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 21—An Act to create the office of Commissioner of Horticultural Statistics, and appropriate money for his salary and expenses—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SHIPPEE, Chairman.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, January 24, 1893.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 133—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 229—An Act relative to publication by savings banks of a sworn statement of all unclaimed deposits—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FLINT, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-third day of January, amended and passed as amended Senate Substitute for Senate Joint Resolutions Nos. 1 and 2, relative to the Nicaragua Maritime Canal.

GEO. W. PECKHAM, Chief Clerk.
By J. T. RYAN, Assistant Clerk.

Senator Ostrom moved that the Assembly amendment to Committee Substitute for Senate Joint Resolutions Nos. 1 and 2 be made the special order for Friday, January 27, 1893, at two o'clock P. M.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Maher: Senate Bill No. 455—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

Referred to Committee on Finance.

Also: Senate Bill No. 456—An Act to provide for the publication of legal notices.

Referred to Committee on Judiciary.

Also: Senate Bill No. 457—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 458—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and amended February 8, 1889, and to appropriate money therefor.

Referred to Committee on Labor and Capital.

By Senator Gesford: Senate Bill No. 459—An Act to amend section one thousand four hundred and one and to repeal section one thousand four hundred and two of the Civil Code of the State of California, relating to community property.

Referred to Committee on Judiciary.

By Senator Mahoney: Senate Bill No. 460—An Act to provide for the employment of destitute citizens, and making appropriations therefor.

Referred to Committee on Labor and Capital.

By Senator Arms: Senate Bill No. 461—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one

thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Referred to Committee on Elections.

By Senator McAllister: Senate Bill No. 462—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prisons at San Quentin and Folsom.

Referred to Committee on State Prisons and Prison Buildings.

Also: Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Whitehurst: Senate Bill No. 464—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Hart: Senate Bill No. 465—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons.

Referred to Committee on Judiciary.

Also: Senate Bill No. 466—An Act for the relief of Patrick Creighton.

Referred to Committee on Claims.

By Senator Earl: Senate Bill No. 467—An Act to amend an Act to provide for the organization, incorporation, and government of municipal corporations, as approved March 13, 1883, and amended March 19, 1889.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 468—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the powers of railroad corporations to borrow money.

Referred to Committee on Judiciary.

Also: Senate Bill No. 469—An Act to amend section eight hundred and fifty-five of the Code of Civil Procedure of the State of California, relating to the filing of answers in Justice's Court.

Referred to Committee on Judiciary.

Also: Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Referred to Committee on Judiciary.

Also: Senate Bill No. 471—An Act to amend section seven hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on Judiciary.

Also: Senate Bill No. 472—An Act to add a new section to title eleven, chapter one, of part two, of the Penal Code of the State of California, to be designated section one thousand four hundred and

, sixty-two, and relating to the issuance of writs of execution for the purpose of collecting fines imposed in criminal cases.

Referred to Committee on Judiciary.

Also: Senate Bill No. 473—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to motions for new trials.

Referred to Committee on Judiciary.

Also: Senate Bill No. 474—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating drinks to minors, and relating to the selling and giving intoxicating drinks to minors," approved March 4, 1872, Statutes 1871-3, page 231.

Referred to Committee on Judiciary.

Also: Senate Bill No. 475—An Act to add a new section to title eleven, chapter two, of part two, of the Penal Code of the State of California, to be designated section fourteen hundred and seventy-one, and relating to the filing of an undertaking on appeal in criminal cases wherein execution has been levied to collect a fine.

Referred to Committee on Judiciary.

Also: Senate Bill No. 476—An Act amendatory of chapter three of title four of the Code of Civil Procedure, relative to phonographic reporters.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 477—An Act to provide for the establishment and maintenance of free public employment offices.

Referred to Committee on Labor and Capital.

By Senator Hoyt (by request): Senate Bill No. 478—An Act to amend section one thousand three hundred and fifty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Finance.

Also: Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Referred to Committee on Finance.

By Senator Williams: Senate Bill No. 482—An Act regulating the location of manufactories for giant powder, gun powder, blasting powder, or any explosive substance, the storage of explosives, and providing a penalty therefor.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 483—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 1, 1872, by adding a new section thereto, to be known as section six hundred ninety

and one half, for the purpose of defining and enforcing section six hundred and ninety of said Code.

Referred to Committee on Labor and Capital.

By Senator Streeter: Senate Bill No. 484—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of unincumbered live stock.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Earl: Senate Bill No. 485—An Act to amend section two hundred of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualifications and exemptions of jurors.

Referred to Committee on Judiciary.

By Senator Campbell: Senate Bill No. 486—An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six of the Political Code, relating to roads and highways.

Referred to Committee on Roads and Highways.

By Senator McGowan: Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Referred to Committee on Military Affairs.

By Senator Gesford: Senate Bill No. 488—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, or municipal corporations incorporated under the laws of this State," approved March 15, 1887.

Referred to Committee on City, City and County, and Town Governments.

SENATE JOINT RESOLUTION.

By Senator Mathews: Senate Joint Resolution No. 4—Relating to the construction by the United States Government of a deep-water harbor at San Pedro, on the coast of Los Angeles County.

Referred to Committee on Federal Relations.

SUBSTITUTE BILLS.

Senator Hart asked unanimous consent to withdraw Senate Bill No. 317 and introduce a substitute in lieu of the original bill withdrawn, and that it be referred to the Committee on State Prisons and Prison Buildings.

So ordered.

By Senator Hart: Substitute for Senate Bill No. 317—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to unauthorized communications with convicts in the State Prisons, and bringing articles into the State Prisons.

Referred to Committee on State Prisons and Prison Buildings.

Senator Everett asked unanimous consent to introduce a substitute for Senate Bill No. 302 in lieu of the original bill withdrawn, and that it take the place of said bill on file.

So ordered.

By Senator Everett: Substitute for Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relative to errors, etc., on assessment roll, and the correction thereof.

Senator Mathews asked unanimous consent to substitute Senate Bill No. 346 on the file in lieu of Senate Bill No. 97 withdrawn.

Granted.

MOTION.

Senator Simpson moved that Senate Bill No. 76 be taken from the file, and be re-referred to Committee on Hospitals.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Concurrent Resolution has been correctly enrolled: Senate Concurrent Resolution No. 3—Relative to the investigation of the Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County.

RAGSDALE, Chairman.

MOTION.

Senator Ostrom moved that the Senate recede from its action whereby the consideration of Assembly amendment to Senate Committee Substitute for Senate Joint Resolutions Nos. 1 and 2 was made the special order for Friday, January 27, 1893, at two o'clock P. M.

So ordered.

MESSAGE FROM THE ASSEMBLY.

Senator Ostrom moved that the Assembly message pertaining to Committee Substitute for Senate Joint Resolutions Nos. 1 and 2 be read, and that the Senate immediately consider Assembly amendment thereto.

So ordered.

Senator Ostrom moved that the Senate concur in the following Assembly amendment to Substitute for Senate Joint Resolutions Nos. 1 and 2:

Amend by adding after line three: "*and be it further resolved, that we favor the absolute ownership and control of the said Nicaragua Canal by the United States Government, if within the power of said Government to so own and control the same.*"

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Earl, Fay, Gesford, Goucher, Harp, Langford, McAllister, Martin, Mitchell, Ostrom, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—21.

NOES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Hart, Hoyt, Mathews, Seymour, and Williams—13.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 24, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Also: Senate Bill No. 112—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Also: Senate Bill No. 262—An Act to amend section one hundred and ninety-four of the Code of Civil Procedure of the State of California, relating to jurors.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Also: Senate Bill No. 278—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Also: Senate Bill No. 51—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Also: Senate Bill No. 184—An Act to amend an Act entitled "An Act to amend sections ten and one hundred and thirty-four of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to legal holidays and non-judicial days," approved March 1, 1889.

Also: Senate Bill No. 215—An Act to amend an Act entitled "An Act to amend section seven of the Civil Code, relating to holidays," approved March 1, 1889.

Also: Senate Bill No. 217—An Act to amend an Act entitled "An Act to amend section ten of the Political Code, relating to legal holidays," approved March 1, 1889.

Also: Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Also: Senate Bill No. 347—An Act to establish a tax on collateral inheritances, to provide for its levy and collection, and to create therewith a fund for the maintenance of kindergartens.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass.

Also: Senate Bill No. 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Finance Committee.

McGOWAN, Chairman.

Senate Bill No. 354 re-referred to Committee on Finance.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, having on January twenty-first, instant, visited the Asylum for the Deaf and Dumb and the Blind, at Berkeley, under permission previously given by the Senate, hereby submit their mileage account, and respectfully ask that the same be allowed, as follows:

Senator Biggy, 182 miles	\$18 20
Senator Seymour, 182 miles	18 20
Senator Everett, 182 miles	18 20

EVERETT, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EVERETT, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

SPECIAL FILE—SECOND READING OF BILLS.

Senate Bill No. 267—An Act to amend an Act entitled “An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor,” approved March 11, 1889.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Read second time, and ordered to engrossment and to a third reading.

Senate Constitutional Amendment No. 4—To propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relating to the right of suffrage.

On motion of Senator Ragsdale, Senate Constitutional Amendment No. 4 was temporarily passed on file.

MESSAGE FROM THE ASSEMBLY.

Senator Voorheis moved to take up messages from the Assembly.
So ordered.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fourth day of January, adopted Assembly Constitutional Amendment No. 8, relative to the right of suffrage.

GEO. W. PECKHAM, Chief Clerk.
By MYRON YAGER, Assistant Clerk.

Senator Ragsdale moved that Assembly Constitutional Amendment No. 8 be substituted on the file for Senate Constitutional Amendment No. 4.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 8.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article two thereof, relative to the right of suffrage.

The Legislature of the State of California at its thirtieth session, commencing on the second day of January, Anno Domini one thousand eight hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that section one of article two of the Constitution of the State of California be amended so as to read as follows:

SECTION 1. Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the Treaty of Quere-taro, and every male naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; *provided*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution in the English language and write his name, shall ever exercise the privileges of an elector in this State; *provided*, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age and upwards at the time this amendment shall take effect.

Senator Ragsdale moved the adoption of the resolution.

The roll was called, and Assembly Constitutional Amendment No. 8 adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—35.
NOES—None.

Senator Ragsdale moved that Assembly Constitutional Amendment No. 8 be immediately transmitted to the Assembly.

So ordered.

THIRD READING OF BILLS.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

On motion of Senator Denison, Senate Bill No. 25 was passed on file.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

On motion of Senator Carpenter, Senate Bill No. 18 was passed on file.

Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford,

McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—38.
NOES—None.

Title read and approved.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Read third time.

Senator Seawell moved that the bill be recommitted to Senator Langford, as a committee of one, to amend as follows:

Amend section one by inserting in lieu of the words "is hereby repealed" the following words: "and the Act amendatory thereof, approved March 7, 1887, are hereby repealed."

Also: Amend by striking out all of section two, and insert in lieu thereof the following: "SEC. 2. All property now in the hands of this Commission is hereby turned over to the State Horticultural Commission."

Also: Amend title of Act by adding thereto the words and figures "and the Act amendatory thereof, approved March 7, 1887."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 199, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

LANGFORD, Committee.

Report of special committee adopted.

Senate Bill No. 199 ordered reëngrossed, printed, and that it retain its place on the file.

Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasury for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Flint, Gesford, Goucher, Harp, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—31.

NOES—None.

Title read and approved.

Senator Langford moved that Senate Bills Nos. 200 and 206 be immediately transmitted to the Assembly.

So ordered.

Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets, or public highways, of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government, at all times while engaged in the actual discharge of duty, to ride on the cars of such

railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, and Whitehurst—29.

NOES—Mr. Carpenter—1.

Title read and approved.

Senator Arms moved that Senate Bill No. 1 be immediately transmitted to the Assembly.

So ordered.

RECESS.

At twelve o'clock M. the President declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Langford: Senate Bill No. 489—An Act to provide for the payment of a part of the funded debt of the State and to pay the interest on the remainder.

Referred to Committee on Finance.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Substitute for Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

On motion of Senator Seawell, Substitute for Senate Bill No. 71 was passed on file, but to retain its place on the file.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

The following committee amendment was adopted:

Insert on line six of printed bill, after the word "instrument," the word "judgment."

Read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 52—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure of the State of California, relating to the manner of selecting grand and trial jurors.

Read second time, and ordered to engrossment and to a third reading.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act entitled "An Act for the relief of insolvent debtors, the protection of creditors, and the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

Read second time, and ordered to engrossment and to a third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the sum of twenty-eight dollars be and the same is hereby appropriated to pay John Cummings for service as Porter of rooms of Judiciary Committee of the Senate, the same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Campbell, Denison, Dunn, Everett, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

RESOLUTION—(OUT OF ORDER).

By Senator Harp:

Resolved, That Willie B. Ayer be and he is hereby appointed Page of the Senate, at a per diem of three dollars, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Goucher: Senate Bill No. 490—An Act to amend "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889.

Referred to Committee on Irrigation and Water Rights.

By Senator McAllister: Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Referred to Committee on Claims.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Senator Campbell moved that Senate Bill No. 306 be re-referred to Committee on Hospitals, and that it retain its place on file.

So ordered.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Senator Campbell moved that Senate Bill No. 76 be re-referred to Committee on Hospitals, and that it retain its place on file.

So ordered.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 72—An Act to provide for a day of rest from labor.

Senator Burke offered the following amendment:

Strike out the word "cause" on second line thereof, and insert the words "require against their will."

Adopted

Read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

The following committee amendments were adopted:

Insert "Section 2" at beginning of line following line nineteen.

Also: Insert the following: "Section 3," in second line below line nineteen and before the word "this."

Read second time, ordered printed and engrossed as amended, and on file for third reading.

REPORT OF SELECT COMMITTEE ON JOINT RULES OF THE SENATE AND ASSEMBLY.

SENATE CHAMBER, SACRAMENTO, January 24, 1893.

MR. PRESIDENT: Your Joint Committee on Rules and Regulations governing the Senate and Assembly, thirtieth session, beg leave to report the following:

JOINT RULES OF THE SENATE AND ASSEMBLY.

I.—COMMITTEE OF CONFERENCE.

In every case of an amendment of a bill agreed to in one House, and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committees shall meet at a convenient hour, to be agreed upon by the respective Chairmen, and shall confer upon the differences between the two Houses, and shall report as early as convenient the result of their conference to their respective Houses for their action.

II.—MESSAGES MUST BE ANNOUNCED BY THE ASSISTANT SERGEANT-AT-ARMS.

When a message shall be sent from either House it shall be announced at the door by the Assistant Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

III.—SECRETARY, CLERKS, ETC., TO CARRY MESSAGES.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

IV.—NOTICES TO BE ON PAPER UNDER PROPER SIGNATURE.

Notice of the action of either House to the other shall be on paper, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

V.—ENROLLED BILLS TO RECEIVE SIGNATURE OF PROPER OFFICER.

After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk and Enrolling Committee of the Assembly or of the Senate, as the bill may have originated in one or the other House, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated, before it shall be presented to the Governor of the State.

VI.—ENROLLING COMMITTEE TO COMPARE.

When bills are enrolled they shall be re-examined by the Enrolling Committee of the House in which they originated, who shall carefully compare the enrollment with the engrossed bill, as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

VII.—PRESIDENT AND SPEAKER TO SIGN BILLS.

After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

VIII.—ENROLLING COMMITTEE TO PRESENT BILL TO GOVERNOR.

After a bill shall have thus been signed in each House, it shall be presented by the Enrolling Committee of the House in which it originated, to the Governor of the State for his approval. (It being first indorsed on the back of the bill by the Secretary or Clerk, as the case may be, certifying in which House the bill originated.) The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the House in which the bill originated.

IX.—ORDERS, RESOLUTIONS, AND VOTES TO BE APPROVED AS ARE BILLS.

All orders, resolutions, and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner, and by the same committee, as provided in the case of bills.

X.—JOINT ADDRESSES TO GOVERNOR.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

XI.—BILL OR RESOLUTION OF ONE HOUSE, REJECTED IN THE OTHER, REQUIRES NOTICE.

When a bill or resolution, which shall have passed one House, is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

XII.—REJECTED BILLS REQUIRE FIVE DAYS' NOTICE AND TWO-THIRDS VOTE FOR REINTRODUCTION.

When a bill or resolution, which has been passed in one House, shall be rejected in the other, it shall not be brought in during the same session, without notice of five days, and leave of two thirds of that House in which it shall be renewed.

XIII.—EACH HOUSE TO TRANSMIT PAPERS.

Each House shall transmit to the other papers on which any bill or resolution shall be founded.

XIV.—DISAGREEMENT, ADHERED TO, DEFEATS THE BILL.

After each House shall have once adhered to their disagreement, a bill or resolution shall be lost.

XV.—NO APPROPRIATION EXCEPT BY BILL.

No appropriation of money, for any purpose whatever, shall be made except by bill.

XVI.—EXCEPT BY EACH HOUSE, PRINTING TO BE DONE BY CONCURRENT RESOLUTION.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

XVII.—JOINT STANDING COMMITTEE OF THREE FROM EACH HOUSE.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

XVIII.—JOINT AND CONCURRENT RESOLUTIONS.

Joint resolutions are those which relate to a certain communication to the Federal Government. All other resolutions relating to matters to be treated by both Houses of the Legislature are concurrent resolutions.

XIX.—JOINT RESOLUTIONS TREATED AS BILLS.

All Joint Resolutions shall be treated in all respects as bills; except that all Joint Resolutions shall be read but one time in each House.

XX.—UNANIMOUS CONSENT FOR EXTRA PAY.

No extra pay nor increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

XXI.—AMENDMENTS TO AMENDED BILLS MUST BE ATTACHED.

Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "Adopted," and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "Concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

XXII.

Whenever any Senate or Assembly Bill is reported back by any committee, it shall be substituted on the file at the request of any Senator or member of the Assembly by the Secretary of the Senate or Clerk of the Assembly in the place of any similar Senate or Assembly Bill.

XXIII.

On and after February 21, 1893, the Senate and Assembly shall adopt and provide a special file, upon which shall be placed: in the Senate, only Assembly Bills that have passed the Assembly; and in the Assembly, only Senate Bills that have passed the Senate.

Such special file shall be taken up at two o'clock P. M. each day, and be considered one hour and a half after being so taken up.

RAGSDALE, Chairman.
SEAWELL.
HART.
McELROY, Chairman.
KAHN.
LYNCH.
FINLAYSON.

FIRST READING OF BILLS.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Read first time.

Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Read first time.

Senate Bill No. 394—An Act authorizing the Board of State Harbor Commissioners to grant, for a limited period of time, to persons or corporations the right to run and operate street cars between the hours of six A. M. and seven P. M. of each day, for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon State lands and lands within their jurisdiction along the exterior waterfront line of the City and County of San Francisco.

Senator Biggy, with the consent of the Senate, withdrew Senate Bill No. 394.

SENATE CONCURRENT RESOLUTION.

By Senator Biggy: Senate Concurrent Resolution No. 14—

Resolved by the Senate, the Assembly concurring. That a committee of three Senators, to be appointed by the President of the Senate, and three members of the Assembly, to be appointed by the Speaker of the Assembly, said committees when so appointed to be known and designated as a "Joint Committee on Investigation into the Affairs of the Whittier Reform School." That the duty of such Joint Committee shall be and the same is hereby made:

To investigate into the management, conduct, and affairs of said school.

To investigate and examine the condition of the inmates thereof, and upon report to make suggestions and recommendations as may be necessary for legislation to be enacted for said school.

Senator Biggy moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Langford, McAllister, Maher, Mathews, Mitchell, Orr, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—Messrs. Ostrom and Ragsdale—2.

On motion of Senator Biggy, Senate Concurrent Resolution No. 14 was ordered immediately transmitted to the Assembly.

ADJOURNMENT.

At two o'clock and thirty-six minutes P. M., on motion of Senator Broderick, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Thursday, January 26, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Broderick.

REPORTS OF STANDING COMMITTEES.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Also: Senate Joint Resolution No. 12—Relative to irrigation of arid and desert lands.

Also: Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Also: Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State.

Also: Senate Bill No. 93—An Act to amend sections two and five of an Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto, approved March 14, 1889.

Also: Senate Bill No. 114—Relative to sale of live stock.

Also: Senate Bill No. 279—An Act to amend the Civil Code, by adding to part four, division first, a new title, providing for the consolidation of colleges and institutions of higher education.

Also: Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Also: Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Also: Senate Bill No. 34—An Act to provide for furnishing clerks and copyists to the County Clerk of each city and county having one hundred thousand or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists.

Also: Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Also: Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Senate Bill No. 116—Relative to mutual insurance companies.

Also: Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Also: Senate Bill No. 73—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-four, relating to eight hours' labor.

Also: Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employes by the Board of Health of the City and County of San Francisco.

Also: Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

RAGSDALE, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 227—An Act entitled an Act to pay the claim of Sands W. Forman for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 172—An Act for the relief of Peter E. Farrell, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 246—An Act entitled an Act to appropriate moneys to pay the claim of W. D. Crow for the advertising of the San Francisco Depot Act—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same, as same is covered by another bill.

CAMPBELL, Chairman.

Senate Bills Nos. 172 and 227 re-referred to Committee on Finance.

WITHDRAWAL OF BILL.

Senator Wilson asked unanimous consent to withdraw Senate Bill No. 246.

Granted.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 26, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

Also: Senate Bill No. 105—An Act to prevent the use of fraudulent marks on merchandise.

Also: Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 79—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Also: Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Also: Senate Bill No. 419—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, and to add a new section thereto, to be known and designated as section two thousand nine hundred and seventy-three, relating to chattel mortgages.

Also: Senate Bill No. 163—An Act to amend sections two thousand nine hundred and fifty-five and two thousand nine hundred and fifty-six of the Civil Code, in relation to mortgages of personal property.

Also: Senate Bill No. 136—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 3—An Act establishing a commission for the revision of the laws.

Also: Senate Bill No. 138—An Act relating to interest and usury.

Have had the same under consideration, and respectfully report the same back without recommendation.

McGOWAN, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 50—An Act to amend the Civil Code by adding two sections thereto, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of the Debris Commissioners, and to make an appropriation to be expended under their directions in the discharge of their duties as such Commissioners—have had the same under consideration, and respectfully report the same back, with a substitute therefor, and recommend that said substitute do pass.

FORD, Chairman.

Substitute for Senate Bill No. 389 ordered printed.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, January 26, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of January, passed Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Also: Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to the penalty for selling liquor to habitual or common drunkards, and Indians.

Also: Assembly Bill No. 31—An Act to add a new section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

All of which were ordered to be immediately transmitted to the Senate.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Assembly Bill No. 138 referred to Committee on Irrigation and Water Rights.

Assembly Bill No. 37 referred to Committee on Education and Public Morals.

Assembly Bill No. 31 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Everett: Senate Bill No. 493—An Act relative to the placing and maintaining of messenger call boxes in houses of ill-fame, or in any house, building, or room occupied or frequented by lewd women.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 494—An Act to amend section sixteen hundred and eighteen of the Code of Civil Procedure, relating to the salaries of Public Administrators.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 495—An Act amending section two hundred and sixteen of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to compensation of Assessors in counties of the second class.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 496—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 497—An Act to amend section five hundred and sixty-six of the Code of Civil Procedure, relating to receivers in civil actions and proceedings.

Referred to Committee on Judiciary.

Also: Senate Bill No. 498—An Act to amend section two hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the appointment of Court Commissioner.

Referred to Committee on Judiciary.

Also: Senate Bill No. 499—An Act to amend section one thousand and thirty-two of the Political Code, relating to public records.

Referred to Committee on Judiciary.

Also: Senate Bill No. 500—An Act to amend section six hundred and forty-one of the Code of Civil Procedure, relating to appointments and qualifications of referees in civil actions and proceedings.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 501—An Act to amend section two thousand four hundred and sixty-seven of the Political Code, relative to charges for towage.

Referred to Committee on Commerce and Navigation.

By Senator Seawell: Senate Bill No. 502—An Act to prohibit the creation of debts against the State in excess of appropriation made by law, except in cases of actual necessity and on consent of the Board of Examiners.

Referred to Committee on Judiciary.

By Senator Carpenter: Senate Bill No. 503—An Act to amend sections thirty-seven and one hundred and ninety of the Penal Code of the State of California, relating to the punishment of crimes.

Referred to Committee on Judiciary.

By Senator Arms: Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Referred to Committee on Judiciary.

Also: Senate Bill No. 505—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Referred to Committee on Judiciary.

By Senator Carpenter: Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Referred to Committee on Judiciary.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

On motion of Senator Denison, Senate Bill No. 25 was passed on file.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code,"

approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

On motion of Senator Carpenter, Senate Bill No. 18 was passed on file.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Passed on file.

SECOND READING OF BILLS.

Substitute for Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

On motion of Senator McGowan, Substitute for Senate Bill No. 71 was passed on file, but to retain its place on the file.

Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Passed on file.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Passed on file.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

On motion of Senator Maher, Senate Bill No. 277 was re-referred to Committee on Labor and Capital, but to retain its place on file.

Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities and also for the payment of such bonds.

Read second time.

Committee presented amendments, as follows:

Amend by striking out of section three, line seven, the words "one hundred," and inserting the following: "fifty."

Adopted.

Also:

Amend by striking out of section four, line six, the words "one hundred," and inserting the following: "fifty."

Adopted.

Also:

Amend by striking out of section four, line fifty-three, the words "one hundred," and inserting the following: "fifty."

Adopted.

Also:

Amend by striking out of section four, line eighty-one, the words "one hundred," and inserting the following: "fifty."

Adopted.

Also:

Amend by striking out of section three, line three, the word "two," and inserting the following: "one."

Adopted.

Bill ordered printed and engrossed as amended, and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 119—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Asylum—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply for said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

MOTION.

Senator Seawell moved that Senate Bill No. 120 be considered on first reading file and read immediately.

So ordered, by unanimous consent of the Senate.

FIRST READING OF BILL.

Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Read first time, re-referred to Committee on Finance, and ordered on special file for second reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 26, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 364—An Act to amend an Act entitled "An Act to

amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Also: Senate Bill No. 411—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BAILEY, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 26, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTIONS—(OUT OF ORDER).

By Senator Everett:

Resolved, That J. G. Tyrrel be and is hereby appointed Sergeant-at-Arms of Committee-room 58, at a per diem of five dollars, and Emil Ney, Messenger, at a per diem of four dollars; also, that Almon Ames be and is hereby appointed Sergeant-at-Arms of Court-room 2, at a per diem of five dollars, and Samuel Solomon, Messenger, at a per diem of four dollars; also, that M. L. Torry be and is hereby appointed Sergeant-at-Arms of room 15, at a per diem of five dollars, and R. A. May, Messenger, at a per diem of four dollars; also, that Benj. Williams be and is hereby appointed Sergeant-at-Arms of room 14, at a per diem of five dollars, and Wm. Sampson, Messenger, at a per diem of four dollars; also, that Chas. Coombs be and is hereby appointed Sergeant-at-Arms of room 60, at a per diem of five dollars, and L. E. Richardson, Messenger, at a per diem of four dollars.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Streeter:

Resolved, That the sum of five hundred and seventeen dollars and fifty cents (\$517 50) be and the same is hereby appropriated to pay for forty-five copies of the Codes and Constitution, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

GENERAL FILE—(RESUMED)—FIRST READING OF BILLS.

Senate Bill No. 160—An Act making an appropriation to pay the claim of the "California Spirit of the Times" for advertising the election proclamation in the forty-second fiscal year.

Read first time.

Senate Bill No. 126—An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners, from February 15, 1891, to March 21, 1891.

Read first time.

Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Passed on file.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read first time.

Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Read first time.

LEAVE OF ABSENCE.

At eleven o'clock and thirteen minutes A. M., on motion of Senator Carpenter, the Committee on Corporations was granted leave of absence for the day.

On motion of Senator Denison, the Committee on Counties and County Boundaries was granted leave of absence for the balance of the day.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Read first time.

Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor.

Read first time.

Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Read first time.

Senate Bill No. 213—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Read first time.

Senate Bill No. 313—An Act to provide a depository for the county funds.

Read first time.

Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Read first time.

Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employes for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Read first time.

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner

of levying and collecting the same; to authorize the City Treasurer to pay out the same on order of the Trustees; to fix the term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Read first time.

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Read first time.

Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Read first time.

Senate Bill No. 21—An Act to create the office of Commissioner of Horticultural Statistics, and appropriate money for his salary and expenses.

Read first time.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Read first time.

Senate Bill No. 107—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Read first time.

Senate Bill No. 133—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Read first time.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Read first time.

Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Read first time.

Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases pending an appeal to the Supreme Court.

Read first time.

Senate Bill No. 112—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Read first time.

Senate Bill No. 262—An Act to amend section one hundred and ninety-four of the Code of Civil Procedure of the State of California, relating to jurors.

Read first time.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read first time.

Senate Bill No. 278—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Read first time.

Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Read first time.

Senate Bill No. 51—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Read first time.

Senate Bill No. 184—An Act to amend an Act entitled "An Act to amend sections ten and one hundred and thirty-four of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to legal holidays and non-judicial days," approved March 1, 1889.

Read first time.

Senate Bill No. 215—An Act to amend an Act entitled "An Act to amend section seven of the Civil Code, relating to holidays," approved March 1, 1889.

Read first time.

Senate Bill No. 217—An Act to amend an Act entitled "An Act to amend section ten of the Political Code, relating to legal holidays," approved March 1, 1889.

Read first time.

Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Read first time.

Senate Bill No. 347—An Act to establish a tax on collateral inheritances, to provide for its levy and collection, and to create therewith a fund for the maintenance of kindergartens.

Read first time.

Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Read first time.

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Read first time.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Read first time.

RESOLUTION—(OUT OF ORDER).

By Senator Hoyt:

Resolved, That Miss Clara Fowler be and she is hereby appointed Third Assistant Engrossing Clerk of the Senate, at the same per diem as the Engrossing Clerk, to be paid out of the Senate Contingent Fund.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Goucher: Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Referred to Committee on Finance.

By Senator Hoyt: Senate Bill No. 508—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator McGowan: Senate Bill No. 509—An Act to establish what shall constitute lawful fences within the State of California.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 510—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Referred to Committee on Judiciary.

Also: Senate Bill No. 511—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 512—An Act to amend section nine of an Act entitled "An Act to authorize the establishment of County High Schools, and provide for their support," approved March 10, 1891.

Referred to Committee on Education and Public Morals.

Also (by request): Senate Bill No. 513—An Act to amend section two hundred and twenty-six of the Civil Code of the State of California, relating to the adoption of children, and to repeal section two hundred and thirty of the Civil Code of the State of California.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 26, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 85—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court.

Also: Senate Bill No. 127—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Also: Senate Bill No. 60—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, and to renumber said section, relating to defrauding proprietors or managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Also: Senate Bill No. 287—An Act to regulate the trial of actions for a divorce.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

McGOWAN, Chairman.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, January 26, 1893.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 298—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

ADJOURNMENT.

At eleven o'clock and forty minutes A. M., on motion of Senator Maher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, January 27, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

PRESENTATION OF PETITIONS.

Senator Berry presented a remonstrance from residents of the proposed new county of Kings, with the request that the body of the same be printed in the Journal and referred to the Committee on Counties and County Boundaries.

So ordered.

REMONSTRANCE.

To the honorable members of the Senate and Assembly of the State of California:

We, the undersigned, citizens, voters, and taxpayers within the territory of the proposed new county of Kings, to be formed from the western portion of Tulare County, do respectfully and most earnestly protest against the formation of said new county, and request that the measure be rejected.

Signed by Geo. A. Brothers and six hundred others.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt.

Also: Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to All Chinese Persons in the State of California."

Also: Senate Bill No. 233—An Act to provide for the payment for advertising of the Constitutional Amendments.

Also: Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

CAMPBELL, Chairman.

Senate Bills Nos. 231, 232, 233, and 239 re-referred to Committee on Finance.

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 377—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seats by an election; to declare the manner of providing officers, and to determine the portion of the old county debt to be chargeable to such new county—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

DENISON, Chairman.

Senate Bill No. 377 re-referred to Committee on Judiciary.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Also: Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 203—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

EVERETT, Chairman.

Senate Bills Nos. 96, 201, 202, 203, and 204 re-referred to Committee on Finance.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Also: Senate Bill No. 146—Relative to public improvements in towns of certain size, etc. Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 35—An Act to provide for organizing and maintaining paid fire departments within cities and towns, or cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively—have had the same under consideration, and respectfully report the same back without recommendation, as amended.

Also: Senate Bill No. 123—An Act to provide for opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire all land and property necessary or convenient for such purpose.

Also: Senate Bill No. 183—An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose."

Also: Senate Bill No. 291—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Have had the same under consideration, and respectfully report the same back, and recommend that the substitute accompanying this report do pass as amended.

BAILEY, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 354—An Act to create a special commission for the purpose of examining and reporting on the Torrens Transfer Act of Australia—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That J. G. Tyrrel be and is hereby appointed Sergeant-at-Arms of Committee-room 58, at a per diem of five dollars, and Emil Ney, Messenger, at a per diem of four dollars; also, that Almon Ames be and is hereby appointed Sergeant-at-Arms of Court-room 2, at a per diem of five dollars, and Samuel Solomon, Messenger, at a per diem of four dollars; also, that M. S. Torry be and is hereby appointed Sergeant-at-Arms of room 15, at a per diem of five dollars, and R. A. May, Messenger, at a per diem of four dollars; also, that Beni, Williams be and is hereby appointed Sergeant-at-Arms of room 14, at a per diem of five dollars, and William Sampson, Messenger, at a per diem of four dollars; also, that Chas. Coombs be and is hereby appointed Sergeant-at-Arms of room 60, at a per diem of five dollars, and L. E. Richardson, Messenger, at a per diem of four dollars.

Have had the same under consideration, and respectfully report the same back, and recommend its adoption.

STREETER, Chairman.

The President declared that under the rules a roll call was necessary on each individual appointment mentioned in the resolution.

Whereupon, the Senate proceeded, as follows:

The roll was called upon the appointment of J. G. Tyrrel as Sergeant-at-Arms of Committee-room 58, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ragsdale, Seawell, Seymour, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—Mr. Carpenter—1.

The roll was called upon the appointment of Emil Ney, as Messenger for room 58, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Streeter, Voorheis, Williams, and Wilson—30.

NOES—Messrs. Carpenter, Ostrom, and Whitehurst—3.

The roll was called upon the appointment of Almon Ames, as Sergeant-at-Arms of Court-room No. 2, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Denison, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—Messrs. Biggy and Ostrom—2.

The roll was called upon the appointment of Samuel Solomon, as Messenger for room 2, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Dunn, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Scawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—Messrs. Biggy, Carpenter, and Ostrom—3.

The roll was called upon the appointment of M. S. Torry, as Sergeant-at-Arms of room 15, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—Messrs. Biggy, Carpenter, and Ostrom—3.

The roll was called upon the appointment of R. A. May, as Messenger for room 15, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Seymour, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—Messrs. Biggy, Burke, Carpenter, and Ostrom—4.

The roll was called upon the appointment of Benjamin Williams, as Sergeant-at-Arms of room 14, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Broderick, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—27.

NOES—Messrs. Berry, Carpenter, Fay, Ostrom, and Whitehurst—5.

The roll was called upon the appointment of William Sampson, as Messenger for room 14, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Hoyt, McGowan, Maher, Martin, Mathews, Mitchell, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—23.

NOES—Messrs. Carpenter, Ostrom, and Whitehurst—3.

The roll was called upon the appointment of Charles Coombs, as Sergeant-at-Arms of room 60, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Denison, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Martin, Mathews, Mitchell, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—26.

NOES—Messrs. Carpenter, Orr, and Whitehurst—3.

The roll was called upon the appointment of L. E. Richardson, as Messenger for room 60, and he was declared appointed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Denison, Earl, Everett, Ford, Gesford, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—25.

NOES—Messrs. Burke, Carpenter, and Whitehurst—3.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Miss Clara Fowler be and she is hereby appointed Third Assistant Engrossing Clerk of the Senate, at the same per diem as the Engrossing Clerk, to be paid out of the Senate Contingent Fund.

Have had the same under consideration, and respectfully report the same back, and recommend its adoption.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—Messrs. Berry and Carpenter—2.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the sum of five hundred and seventeen dollars and fifty cents (\$517 50) be and the same is hereby appropriated to pay for forty-five copies of the Codes and Constitution, the same to be paid out of the Contingent Fund of the Senate.

STATE OF CALIFORNIA, DEPARTMENT OF STATE, }
SACRAMENTO, January 21, 1893. }

The Senate to State of California, Dr.:

Forty-five copies pocket edition Codes and Constitution, at \$11 50..... \$517 50

Have had the same under consideration, and respectfully report the same back, and recommend its adoption.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hart, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Simpson, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—Mr. McAllister—1.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 358—An Act to amend an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891—have had the same under consideration, and respectfully report the same back, with substitute therefor, and recommend the passage of substitute herewith submitted.

SHIPPEE, Chairman.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Also: Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collecting of ad valorem taxes.

Also: Senate Bill No. 52—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure of the State of California, relating to the manner of selecting grand and trial jurors.

Also: Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Also: Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make appropriations therefor," approved March 11, 1889.

RAGSDALE, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 230—An Act to reinstate and reenact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Also: Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HOYT, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of January, passed Senate Bill No. 17—An Act to provide for the appointment, by the Supreme Court, of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Senate Bill No. 17 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of January, passed Senate Joint Resolution No. 11—Relative to the increase and equalization of the pay of letter carriers.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Senate Joint Resolution No. 11 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of January, passed Assembly Bill No. 21—An Act entitled "An Act to amend section two thousand nine hundred and fifty-five of the Civil Code."

Also: Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Assembly Bill No. 21 referred to Committee on Judiciary.

Assembly Bill No. 50 referred to Committee on City, City and County, and Town Governments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of January, passed Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

Also: Assembly Joint Resolution No. 9—Relative to foreign immigration to the United States.

Also: Assembly Joint Resolution No. 11—Relative to a public building at Eureka.

GEO. W. PECKHAM, Chief Clerk.

By JOHN T. RYAN, Assistant.

Assembly Joint Resolution No. 7 referred to Committee on Elections.

Assembly Joint Resolution No. 9 referred to Committee on Federal Relations.

Assembly Joint Resolution No. 11 referred to Committee on Public Buildings other than Prison Buildings.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 514—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California, approved March 30, 1874, relating to publication of assessment notices of incorporated companies.

Referred to Committee on Judiciary.

Also: Senate Bill No. 515—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 516—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to the publication of summons.

Referred to Committee on Judiciary.

Also: Senate Bill No. 517—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 518—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 519—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Referred to Committee on Judiciary.

By Senator Carpenter: Senate Bill No. 520—An Act to amend an Act entitled 'An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public,' approved March 19, 1889.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 521—An Act relating to the trial of actions for divorce.

Referred to Committee on Judiciary.

By Senator Mathews: Senate Bill No. 522—An Act to amend section twenty-six of an Act to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, etc., and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, etc., of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools, etc., approved March 20, 1891, relating to the public schools, etc.

Referred to Committee on Education and Public Morals.

By Senator Berry: Senate Bill No. 523—An Act to add sections two thousand five hundred and forty-three and two thousand five hundred and forty-four to the Civil Code.

Referred to Committee on Corporations.

By Senator Earl (by request): Senate Bill No. 524—An Act entitled an Act concerning municipal corporations.

Referred to Committee on City, City and County, and Town Governments.

By Senator Biggy (by request): Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Referred to Committee on Claims.

By Senator Hart: Senate Bill No. 526—An Act authorizing persons having claims against the State, or against counties or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgments therefor.

Referred to Committee on Judiciary.

Also: Senate Bill No. 527—An Act to amend the Political Code, changing the boundary line between the counties of Yolo and Sacramento.

Referred to Committee on Counties and County Boundaries.

MOTION.

Senator Goucher, for the special committee appointed to ascertain the amount of pilotage collected by the Pilot Commissioners for the past four years, moved that it be granted power to send for persons and papers.

So ordered.

LEAVE OF ABSENCE.

Senator Arms was granted leave of absence for one day, on motion of Senator Biggy.

SPECIAL FILE—FIRST READING OF BILLS.

Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon,

to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the the expenditure of the same.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the female department of said institution, and to appropriate money therefor.

Read second time, and ordered to engrossment and to a third reading.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

On motion of Senator Denison, Senate Bill No. 25 was passed on file.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

On motion of Senator Carpenter, Senate Bill No. 18 was passed on file, but to retain its place on the file.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Passed on file.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Passed on file.

RESOLUTIONS—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That Edward Farrell be and is hereby appointed Sergeant-at-Arms of the Committee on Commerce and Navigation, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That P. B. Chambers be and he is hereby appointed Senate Usher, at a per diem of five dollars, payable out of the Contingent Expense Fund of the Senate. It shall be his duty to aid in preventing confusion at the gates, and to assist in escorting visitors to seats, and to generally assist the Sergeant-at-Arms and the Gatekeepers in the performance of their duties.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Earl:

Resolved, That the Chairman of the Committee on Constitutional Amendments be and he is hereby empowered to employ a stenographer to take down and report the proceedings at the sessions of said committee during the consideration of Senate Constitutional Amendment No. 8, said stenographer to receive as compensation ten dollars per diem, and twenty cents per folio for transcribing, to be paid out of the Senate Contingent Fund.

The roll was called, and the resolution lost by the following vote:

AYES—Messrs. Broderick, Earl, Everett, Ford, Hart, McGowan, Seawell, and Williams—8.

NOES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Fay, Flint, Gesford, Harp, Hoyt, Langford, McAllister, Maher, Mathews, Mitchell, Orr, Ragsdale, Simpson, Voorheis, Whitehurst, and Wilson—23.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 137—An Act to establish a Board of Commissioners for the parole of and government of paroled prisoners—have had the same under consideration, and respectfully report the same back, and recommend that the same be re-referred to the Committee on State Prisons and Prison Buildings.

HART, Chairman.

Senate Bill No. 137 re-referred to Committee on State Prisons and Prison Buildings.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Read third time, and finally passed by the following vote:

AYES—Messrs. Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Hart, Hoyt, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Williams—25.

NOES—Messrs. Berry, Biggy, Harp, Langford, McAllister, Mahoney, and Wilson—7.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Everett: Senate Bill No. 528—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on City, City and County, and Town Governments.

By Senator Carpenter: Senate Bill No. 529—An Act to make an appropriation to pay the traveling expenses of the Attorney-General in attending to criminal cases before the Supreme Court of the United States.

Referred to Committee on Finance.

RESOLUTION—(OUT OF ORDER).

By Senator Broderick:

Resolved, That David Nagle be and is hereby appointed Assistant Clerk to the Committee on Counties and County Boundaries, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Whitehurst, Williams, and Wilson—30.

NOES—Mr. Simpson—1.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

WHEREAS, The sad intelligence has reached us that death has claimed as its last noted mark, that peerless and incomparable American, James G. Blaine; and whereas, we desire to pay the tribute of our admiration and respect to the worth and ability of that popular statesman, whose public labors and matchless eloquence accomplished so much for California in her struggle for the permanency and supremacy of Caucasian civilization; and whereas, we recognize in the loss of James G. Blaine a statesman of broad views, practical statesmanship, transcendent ability, and strict integrity; and whereas, we desire to give permanent form to the high regard and esteem in which the honored name of James G. Blaine is justly held by the grateful people of California; therefore, be it

Resolved, That the Senate do now adjourn out of respect to the memory of James G. Blaine; that these resolutions, expressive of our intense sorrow at his death, be spread upon the Journal of the Senate, and that a copy thereof be forwarded to the family of our deceased statesman.

Senator McGowan moved the adoption of the resolution by a rising vote of the Senate.

Senators McGowan, Goucher, and Burke, in compliment to the deceased, paid glowing tributes to his sterling worth as an American citizen, a statesman, and a friend of the people of the United States, and recalled his devotion to the people of the State of California, so often shown by him.

The resolution was unanimously adopted by a rising vote.

ADJOURNMENT.

Whereupon, at twelve o'clock M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, January 28, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

APPROVAL OF JOURNALS.

The Journals of Saturday, January 21, 1893, Monday, January 23, 1893, Tuesday, January 24, 1893, Wednesday, January 25, 1893, Thursday, January 26, 1893, and Friday, January 27, 1893, were then approved.

LEAVE OF ABSENCE.

Senator Whitehurst was granted a leave of absence for the day.

Senator Mathews was granted a leave of absence for the day, on motion of Senator Flint.

Senator Ragsdale was granted a leave of absence for the day, on motion of Senator Campbell.

Senator Denison was granted a leave of absence for the day, on motion of Senator Simpson.

Senator Mahoney was granted a leave of absence for the day, on motion of Senator Maher.

Senator Arms was granted a leave of absence for the day, on motion of Senator Biggy.

Senator Goucher was granted a leave of absence for the day, on motion of Senator Carpenter.

Senator Shippee was granted a leave of absence for the day, on motion of Senator Gesford.

QUESTION OF PRIVILEGE.

Senator Campbell arose to a question of privilege, regarding an article published in a daily paper of this city to the effect that the Committee on Claims was unfair in its consideration of bills for printing election

proclamation, etc., and many inquiries and complaints to him as the Chairman is the result. He claimed that but few such bills were altered, and that the committee was liberal in the determination of the amounts to be paid each paper interested.

PRESENTATION OF PETITIONS.

Senator Ostrom presented thirty-two petitions, relative to community property.

Referred to Committee on Judiciary.

Senator Ostrom presented eighteen petitions, relative to State textbooks.

Referred to Committee on Education and Public Morals.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 20, 1893.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 75—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

Also: Senate Bill No. 78—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railways may be granted by Boards of Supervisors of the several counties, and cities and counties of this State—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 87—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary.

CARPENTER, Chairman.

Senate Bill No. 78 re-referred to Committee on City, City and County, and Town Governments.

Senate Bill No. 87 re-referred to Committee on Judiciary.

RESOLUTION.

By Senator Maher:

Resolved, That Senate Bill No. 455 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 455 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—27.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 455—An Act making an appropriation for the contingent expenses of the Senate, for the thirtieth session of the Legislature.

Bill read first time.

Bill read second time.

Senator Voorheis moved to amend section one, line one, by striking out the word "ten," and inserting in lieu thereof the word "twenty."

Adopted.

Bill considered printed and engrossed as amended, and to a third reading.

Senate Bill No. 455 read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Earl, Everett, Fay, Flint, Ford, Gesford, Hart, Hoyt, Maher, Martin, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—26.

NOES—None.

Title read and approved.

On motion of Senator Voorheis, Senate Bill No. 455 was ordered immediately transmitted to the Assembly.

MOTION.

Senator Ford moved that Senate Bill No. 508 be transferred from Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to Committee on Judiciary.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 360—An Act making an appropriation to pay the claim of J. L. Cooke and William Gutenberg for balance due for materials furnished and work done in the construction of the branch State Prison at Folsom.

Also: Senate Bill No. 339—An Act to provide for the payment of the claim of James C. Smith for money advanced and expended by him for the State of California, in the building and construction of the North Street Canal, and laying sewer pipe, at and near Stockton, San Joaquin County, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Also: Senate Bill No. 251—An Act for the relief of Barnaby Dougherty.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 68—An Act to pay the claim of George Nelson against the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 180—An Act to appropriate money to pay the claim of Mrs. Catherine Boyle, administratrix of the estate of James H. Boyle, deceased, to reimburse her for money paid for school land for which the State can give no title—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn.

Also: Senate Bill No. 226—An Act for the relief of George Dougherty—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CAMPBELL, Chairman.

Senate Bills Nos. 122, 360, 339, 66, 251, 188, 68, 180, and 226 were re-referred to Committee on Finance.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SIMPSON, Chairman.

Senate Bill No. 38 re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Also: Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Also: Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Also: Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Also: Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Also: Senate Bill No. 64—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

Also: Senate Bill No. 165—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Also: Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Also: Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five, of the Civil Code of the State of California, relating to the authentication of marriages.

Also: Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Also: Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Also: Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 362—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, because embodied in Senate Bill No. 286.

Also: Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Also: Senate Bill No. 12—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relating to the duties and compensation of Court reporters, and to add a new section to said Act, to be known as section number two hundred and seventy-four and one half, providing for appointment of reporters pro tempore in any action—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Also: Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Also: Senate Bill No. 168—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to

be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 471—An Act to amend section seven hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 428—An Act to repeal section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women.

Also: Senate Bill No. 429—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Also: Senate Bill No. 430—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 378—An Act to amend chapter seven, article ten, section nine hundred and ninety-six, Political Code, by adding a new division, providing for filling vacancies not otherwise provided for.

Also: Senate Bill No. 431—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 4, 1872, relating to presentments by a grand jury.

Also: Senate Bill No. 167—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the admission of attorneys and counselors at law.

Also: Senate Bill No. 170—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Also: Senate Bill No. 468—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the powers of railroad corporations to borrow money.

Also: Senate Bill No. 469—An Act to amend section eight hundred and fifty-five of the Code of Civil Procedure of the State of California, relating to the filing of answers in Justices' Courts.

Also: Senate Bill No. 472—An Act to add a new section to title eleven, chapter one, of part two of the Penal Code of the State of California, to be designated section one thousand four hundred and sixty-two, and relating to the issuance of writs of execution for the purpose of collecting fines imposed in criminal cases.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 399—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California, with railroad corporations organized under the laws of any other State or Territory, or both.

Also: Senate Bill No. 400—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Also: Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 109—An Act providing for the punishment of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 102—An Act to amend the Penal Code, by adding a new section thereto, to be numbered five hundred and ninety-three, relating to the destruction of trees growing on highways—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ORR, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-sixth day of January, passed Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Assembly Concurrent Resolution No. 7 referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Seawell: Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Hart: Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Referred to Committee on Claims.

By Senator Earl: Senate Bill No. 532—An Act entitled an Act to appropriate money to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Referred to Committee on Claims.

By Senator Wilson: Senate Bill No. 533—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situate in the City Cemetery of Sacramento, and for the improvement of said grounds.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Ostrom: Senate Bill No. 534—An Act to add a new section to the Penal Code to be known as section —, relating to defrauding proprietors and managers of livery stables.

Referred to Committee on Judiciary.

PRESENTATION OF PETITION—(OUT OF ORDER).

Senator Earl presented a remonstrance, signed by three hundred of the employes of the California Cotton Mills Company of Oakland, against the passage of a bill appropriating money for establishing manufactories to be run by convicts in connection with State prisons, and asked that the same be referred to Committee on State Prisons and Prison Buildings.

So ordered.

MOTION.

Senator Ford moved that Substitute for Senate Bill No. 389 be re-referred to Committee on Finance, but to retain its place on file.
So ordered.

WITHDRAWAL OF BILLS.

Senator Seymour asked unanimous consent to withdraw Senate Bill No. 126.

Granted.

Senator Fay asked unanimous consent to withdraw Senate Bill No. 34.

Granted.

MOTION.

At ten o'clock and fifty-five minutes A. M., Senator Simpson moved that the Senate proceed with the first reading of bills for the balance of the day, and, upon completion, that the Senate adjourn.

So ordered.

Senator Seawell moved that Senate Bill No. 120 be re-referred to the Judiciary Committee, and retain its place on file.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved, That Mrs. A. B. Campbell be and is hereby appointed Second Assistant Enrolling Clerk of the Senate, at the same per diem as other Enrolling Clerks, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 59—An Act to amend section two hundred and sixty-seven of the Penal Code of the State of California, relating to the crime of abduction—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HART, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Ostrom:

Resolved, That the Sergeant-at-Arms shall procure letter-head pads for use of members of this Senate.

Adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Broderick: Senate Bill No. 535—An Act to amend section three thousand five hundred and seventy-two of the Political Code, approved March 12, 1872.

Referred to Committee on Public and Swamp and Overflowed Lands.

FIRST READING OF BILLS.

The following bills were read the first time and ordered on file for second reading:

Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

Senate Bill No. 105—An Act to prevent the use of fraudulent marks on merchandise.

Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Senate Bill No. 79—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Senate Bill No. 419—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code, and to add a new section thereto, to be known and designated as section two thousand nine hundred and seventy-three, relating to chattel mortgages.

Senate Bill No. 163—An Act to amend section two thousand nine hundred and fifty-five and two thousand nine hundred and fifty-six of the Civil Code, in relation to mortgages of personal property.

Senate Bill No. 136—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Senate Bill No. 3—An Act establishing a Commission for the revision of the laws.

Senate Bill No. 138—An Act relating to interest and usury.

Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Re-referred to Committee on Finance.

Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Senate Bill No. 119—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Asylum.

Senate Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to

provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Senate Bill No. 411—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Senate Bill No. 85—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department No. 4, and the appointment of a suitable person to act as Judge of said Court.

Senate Bill No. 127—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Senate Bill No. 60—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, and to renumber said section, relating to defrauding proprietors or managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Senate Bill No. 287—An Act to regulate the trial of actions for a divorce.

Senate Bill No. 298—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Senate Bill No. 146—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Substitute for Senate Bills Nos. 291, 183, 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place

within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Senate Bill No. 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia.

Senate Bill No. 358—An Act to amend an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Senate Bill No. 230—An Act to reinstate and reenact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes A. M., on motion of Senator Campbell, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Monday, January 30, 1893. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

QUESTION OF PRIVILEGE.

Senator Goucher arose to a question of privilege, and denied the truth of a dispatch sent the San Francisco "Chronicle," and which appeared in the issue of Sunday, January 29, 1893, to the effect that the legislative delegation of Fresno County, at a meeting of citizens of that county at

which the division of said county was discussed, while speaking were questioned by citizens in a manner to indicate censure.

He exonerated the "Chronicle" from any intention to misrepresent the true state of affairs, censured the person who telegraphed the article in question, and insisted that the Fresno legislative delegation was received in a cordial manner.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

On motion of Senator Denison, Senate Bill No. 25 was passed on file.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

On motion of Senator Carpenter, Senate Bill No. 18 was passed on file, but to retain its place on the file.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

On motion of Senator Langford, Senate Bill No. 199 was passed on file.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Passed on file.

Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employés by the Board of Health of the City and County of San Francisco.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

Title read and approved.

Senate Bill No. 73—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-four, relating to eight hours' labor.

Read third time.

MOTION.

Pending the call of the roll on final passage of Senate Bill No. 73, Senator Broderick moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson.

Senator Seawell moved to dispense with further proceedings under the call.

So ordered.

Senator Maher moved that further consideration of Senate Bill No. 73 be deferred until to-morrow.

So ordered.

LEAVE OF ABSENCE.

Senator McGowan was granted a leave of absence for the remainder of the day.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Senator Everett moved that Senate Bill No. 274 be recommitted to Senator Maher, as a committee of one, to amend as follows:

In section fifteen, in original bill, amend by striking out the word "insured" and insert in lieu thereof the word "incurred."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 274, with instructions to amend—has had the same under consideration, and respectfully report the same back amended as per instructions.

MAHER, Committee.

Report of special committee adopted, and Senate Bill No. 274 ordered to retain its place on file.

Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

On motion of Senator Broderick, Senate Bill No. 116 was passed on file, to retain its place on file.

Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Shippee, Simpson, Whitehurst, Williams, and Wilson—30.

NOES—Messrs. Denison and Earl—2.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Substitute for Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Also: Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Also: Senate Bill No. 72—An Act to provide for a day of rest from labor.

Also: Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Also: Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California.

Also: Senate Concurrent Resolution No. 2—Relative to approving charter of city of Sacramento, in Sacramento County, State of California.

Also: Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Also: Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

RAGSDALE, Chairman.

Senate Bill No. 177 ordered on special file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Read third time.

Senator Fay moved that Senate Bill No. 36 be re-referred to the Committee on City, City and County, and Town Governments.

So ordered.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Senator Maher moved that Senate Bill No. 166 be made the special order for Wednesday, February 1, 1893, at three o'clock and thirty minutes P. M.

So ordered.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Read third time.

Senator Ford moved that Senate Bill No. 207 be referred to Senator Broderick, as a committee of one, with instructions to amend said bill as follows:

By inserting after the word "State," in line five of section one, the following words: "and said Board shall, at all times, contain among its members at least one practitioner from each of the recognized schools of medicine in California."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 207, with instructions to amend has had the same under consideration, and respectfully report the same back, amended as per instructions.

BRODERICK, Committee.

Senator Broderick asked leave to withdraw the report of the special committee of one on Senate Bill No 207.

By consent of the Senate, Senator Broderick, the special committee of one, was allowed to withdraw the report for the purpose of amending the same.

Senator Seawell moved that the bill be recommitted to Senator Broderick, as a committee of one, with instructions to amend said bill, as follows:

After the word "State," in line five, section one, insert the following: "The said Board shall consist of physicians of allopath, eclectic, and homeopath schools of medicine, and the Governor shall not appoint more than three members of the Board from any one of these schools of medicine."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 207, with instructions to amend has had the same under consideration, and respectfully report the same back, amended as per instructions.

BRODERICK, Committee.

Report of special committee rejected.

Senator Carpenter moved to recommit Senate Bill No. 207 to Committee on Hospitals.

So ordered.

Senate Bill No. 279—An Act to amend the Civil Code, by adding to part four, division one, a new title, providing for the consolidation of colleges and institutions of higher education.

Read third time, and finally passed by the following vote:

AYES—MESSRS. ARMS, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAlister, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—34.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

At three o'clock and twenty minutes P. M., Senator Seymour was granted a leave of absence for the remainder of the day.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Read third time, and finally passed by the following vote:

AYES—MESSRS. ARMS, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hoyt, Maher, Mathews, Mitchell,

Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—30.

NOES—Mr. Langford—1.

Title read and approved.

Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

On motion of Senator Mathews, Senate Bill No. 93 was passed on file.

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State.

Read third time, and finally passed by the following vote:

AYES—MESSRS. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

Title read and approved.

COMMUNICATION TO THE SENATE.

The Secretary read an invitation to the Senate from the managers of the Southern California State Citrus Fair to attend the inaugural exercises to be held March 15, 1893, at Colton, California.

On file.

SENATE JOINT RESOLUTION.

By Senator Ford: Senate Joint Resolution No. 16—

WHEREAS, A crisis has arisen in the affairs of the Hawaiian Government, and a desire has been expressed by a large number of the citizens of that Government that their country should be annexed to and become a part of the United States; and whereas, a delegation of citizens of the Hawaiian Government is now on its way to the National Capital to secure such national legislation as will secure the result above suggested; and whereas, the interests of California and of our entire country would be enhanced by the annexation to our domain of the islands now comprised in the territory of the Hawaiian Kingdom; therefore, be it

Resolved by the Senate of California, the Assembly concurring, That whenever the Hawaiian Government shall signify a desire that its territory should be annexed to and become a part of the territory of the United States, our Senators in Congress be instructed and our Representatives be requested to use all honorable means at their disposal to bring about such a result, upon such terms and conditions as may be most beneficial to the inhabitants of both countries; and further be it

Resolved, That it is the sense of the people of the State of California, that under no circumstances and under no conditions should any power other than the United States of America ever be permitted to obtain any control or protectorate over the islands comprising the territory of said Hawaiian Kingdom.

Resolved, That the Governor be requested to immediately telegraph these resolutions to our Senators and Representatives at Washington.

Referred to Committee on Federal Relations.

LEAVE OF ABSENCE.

At three o'clock and thirty-five minutes p. m. Senator Carpenter asked leave of absence for the Committee on Corporations for the remainder of the day.

Granted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Seawell: Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month the wages earned by such employe; to define the duties of the Labor Commissioner and the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 537—An Act to amend section five hundred and seventy-five of the Civil Code of the State of California, relating to making and drawing deposits and dividends in savings and loan corporations.

Referred to Committee on Banks and Banking.

Also: Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Referred to Committee on Banks and Banking.

By Senator Bailey: Senate Bill No. 539—An Act to appropriate money to pay funeral expenses, to furnish tombstones, to sink a well, and make needed repairs in and about the "Woman's Relief Corps Home" at Evergreen, in the State of California.

Referred to Committee on Finance.

By Senator Ostrom: Senate Bill No. 540—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, title eleven, chapter three, article three, section one thousand three hundred and sixty-five, concerning letters of administration, to whom and the order in which they are granted.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 541—An Act amendatory of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on Judiciary.

Also: Senate Bill No. 542—An Act amendatory of chapter three, title four, of the Code of Civil Procedure, relative to phonographic reporters.

Referred to Committee on Judiciary.

Also: Senate Bill No. 543—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Referred to Committee on Judiciary.

Also: Senate Bill No. 544—An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by

placing a limit upon the amount that may be distributed to any single person.

Referred to Committee on Judiciary.

By Senator Everett: Senate Bill No. 545—An Act prohibiting the use of barbed wire fence on public lanes, streets, alleys, roads, or highways.

Referred to Committee on Roads and Highways.

Senator Earl moved to take up Assembly messages out of order.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of January, passed Assembly Concurrent Resolution No. 10—Relative to setting apart a time for the delivery of memorial addresses in honor of the late Hon. James G. Blaine, in joint session of the Senate and Assembly.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Senator Ford moved that the Senate concur in Assembly Concurrent Resolution No. 10.

ASSEMBLY CONCURRENT RESOLUTION No. 10.

Resolved, the Senate concurring, That a special time be set apart for a memorial address to be delivered in joint session of the Senate and Assembly in honor of the memory, life, and services of the Hon. James G. Blaine, and that a committee of six, three to be appointed by the President of the Senate and three by the speaker of the Assembly, to select the time of and the speaker on such occasion.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.
NOES—None.

The President appointed as such committee, Senators Maher, Flint, and Gesford.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of January, passed Senate Bill No. 455—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Senate Bill No. 455 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of January, passed Assembly Bill No. 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant.

Assembly Bill No. 553 referred to Committee on Finance.

PETITIONS—(OUT OF ORDER).

By Senator Maher:

To the Senate and Assembly of the State of California:

WHEREAS, During the past month about two hundred Chinese laborers have been discharged from A. L. Tubbs' Cordage Factory at South San Francisco, and an equal number of white boys and girls have been given their places; and whereas, it has been reported that the manufacture of cordage is to be commenced at the Folsom State Prison should the bill asking for one hundred and sixty thousand dollars for a plant be passed, the result of which would bring convict labor in direct competition with free white labor, thereby again throwing out of employment the two hundred boys and girls so recently employed; therefore,

Resolved, That we, the members of Iron Molders Union No. 164, of San Francisco, do most emphatically denounce the repeated attempts of the State Prison Directors to utilize the convict labor of this State in competition with free labor, and particularly do we denounce this last attempt, for if successful it foreshadows the discharge of the boys and girls who so recently replaced the hated Chinese in South San Francisco.

Adopted by Iron Molders Union No. 164, of San Francisco, at a regular meeting held January 19, 1893.

A. BAKER,
Corresponding Secretary.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Hart:

To the honorable Senate and Assembly in Legislature assembled:

The California Drainage and Reclamation Convention, assembled in Sacramento January 28, 1893, unanimously adopted the following resolution:

Resolved by the State Drainage and Reclamation Convention, assembled in Sacramento this twenty-eighth day of January, 1893, That the Senate and Assembly of the State of California are earnestly requested to adopt a joint resolution urging upon the Congress now in session at Washington, to pass the House resolution introduced by Congressman A. Caminetti on the sixteenth day of January, 1893, known as House Resolution No. 188, providing for the examination of the navigable waters of the river system tributary to the bay of San Francisco, State of California, with a view to permanent improvement for the purposes of commerce and navigation.

W. S. GREEN, Colusa, Chairman,
J. M. FULWEILER, Placer,
FRANK MILLER, Sacramento,
A. C. BINGHAM, Yuba,
JAMES MILLER, Solano,
GEO. OHLEYER, Sutter,
G. M. DIXON, Sacramento,
W. C. CURTIS, Yolo,
N. B. KIRTLEY, Sutter,
Members Memorial Committee.

SENATE JOINT RESOLUTION.

By Senator Hart: Senate Joint Resolution No. 17—

Resolved by the Senate, the Assembly concurring, That we urge upon Congress and most earnestly request that they adopt and speedily pass the resolution introduced in the House of Representatives by Congressman A. Caminetti on the sixteenth day of January, 1893, providing for the examination or survey of the navigability of the waters of the river system tributary to the bay of San Francisco, State of California, and in such manner as in said joint resolution set out; that the Governor of the State cause to be forwarded by telegraph to our Representatives in Congress a copy of this resolution, and request that they present the same to the House and Senate.

Senator Hart moved the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 17 adopted by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Earl, Fay, Harp, Hart, Hoyt, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Ragdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—22.

NOES—None.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 433—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 17—An Act to provide for the appointment by the Supreme Court of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Also: Senate Joint Resolution No. 11—Relative to the increase and equalization of the pay of letter carriers.

Also: Substitute for Senate Joint Resolutions Nos. 1 and 2—Relative to the construction of the Nicaragua Canal.

RAGSDALE, Chairman.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Broderick: Senate Bill No. 546—An Act making an appropriation to pay costs and expenses of suit, numbered twenty-four thousand three hundred and eighty-one in the Superior Court of the City and County of San Francisco, California, in which the State is plaintiff and a party in interest.

Referred to Committee on Claims.

RESOLUTION—(OUT OF ORDER).

By Senator Hart:

Resolved, That Mrs. Sadie L. Cooper be and she is hereby appointed Assistant Enrolling Clerk of the Senate, at a per diem the same as that paid to the Enrolling Clerk, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—26.

NOES—None.

Title read and approved.

ADJOURNMENT.

At four o'clock and three minutes P. M., on motion of Senator Ragsdale, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Tuesday, January 31, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gessford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Goucher.

MOTION.

Senator Goucher moved that the Chairmen of the various standing committees send their reports to the desk, but that the said reports be not read.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON FORESTRY, YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 407—An Act to amend an Act to provide for restoration and preservation of fish in the waters of this State.

Also: Senate Bill No. 44—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violation of the fish laws.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 43—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws, have had the same under consideration, and respectfully report the same back, and recommend it do pass as amended.

Also: Senate Bill No. 402—An Act to pay the claims of employes of the State Board of Forestry—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Finance.

FLINT, Chairman.

Senate Bill No. 402 re-referred to Committee on Finance.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 288—An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California.

for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 418—An Act to pay the claim of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians—have had the same under consideration, and respectfully report the same back, and recommend that a substitute herewith presented do pass.

Also: Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Also: Senate Bill No. 447—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Also: Senate Bill No. 408—An Act to provide for payment of the claim of C. C. Rochford.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 295—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 344—An Act to appropriate money to pay the claim of T. C. Spelling—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and author be allowed to withdraw the same.

CAMPBELL, Chairman.

Senate Bills Nos. 288, 418, 341, 447, 408, 295, 344 re-referred to Committee on Finance.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 27—An Act to amend section one thousand four hundred and twenty-six of the Political Code, relative to appointment of members of the Board of Regents of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HART, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 377—An Act to provide for the division of existing counties and for the creation and organization of new counties and names therefor; to determine the location of county seats by an election; to declare the manner of providing officers, and to determine the portion of the old county debt to be chargeable to such new county—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, because in conflict with the provisions of the Constitution.

Also: Senate Bill No. 128—An Act authorizing the incurring of indebtedness and issuance of bonds by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, buildings, breakwaters, seawalls, embankments, and all necessary public improvements, or for the purchase of land, or for any purpose whatever, and to repeal all portions of Acts in conflict therewith; providing that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced.

Also: Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 238—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller, and payments into the State Treasury.

Also: Senate Bill No. 197—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Also: Senate Bill No. 256—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Also: Senate Bill No. 257 -An Act to amend section three thousand seven hundred and sixty-two of the Political Code, relating to the duties of County Auditors.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

EARL, for Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 16, as follows:

SENATE JOINT RESOLUTION No. 16.

WHEREAS, A crisis has arisen in the affairs of the Hawaiian Government, and a desire has been expressed by a large number of the citizens of that Government that their country should be annexed to and become a part of the United States; and whereas, a delegation of citizens of the Hawaiian Government is now on its way to the National Capital to secure such national legislation as will secure the result above suggested; and whereas, the interests of California and of our entire country would be enhanced by the annexation to our domain of the islands now comprised in the territory of the Hawaiian Kingdom; therefore, be it

Resolved by the Senate of California, the Assembly concurring. That whenever the Hawaiian Government shall signify a desire that its territory should be annexed to and become a part of the territory of the United States, our Senators in Congress be instructed and our Representatives be requested to use all honorable means at their disposal to bring about such a result, upon such terms and conditions as may be most beneficial to the inhabitants of both countries; and further be it

Resolved, That it is the sense of the people of the State of California, that under no circumstances and under no conditions should any power other than the United States of America ever be permitted to obtain any control or protectorate over the islands comprising the territory of said Hawaiian Kingdom.

Resolved, That the Governor be requested to immediately telegraph these resolutions to our Senators and Representatives at Washington.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

WILLIAMS, Chairman.

WITHDRAWAL OF BILL.

Senator Earl asked unanimous consent to withdraw Senate Bill No. 247.

Granted.

RESOLUTIONS—(OUT OF ORDER).

By Senator Everett:

Resolved, That a sub-committee of three from the Committee on Public Buildings other than Prison Buildings be granted leave of absence to visit the Mendocino State Asylum for the Insane, located at Ukiah, Mendocino County, and also the California Home for the Care and Training of Feeble-Minded Children, located at Glen Ellen, Sonoma County; that the said sub-committee inspect the buildings of the Mendocino State Asylum for the Insane, and investigate the conduct and management of the California Home for the Care and Training of Feeble-Minded Children; that the said committee are hereby authorized to send for persons and papers.

Adopted.

By Senator Seymour:

Resolved, That the Committee on Prisons and Prison Buildings be and are hereby allowed to employ a stenographer, and have the power to send for persons, books, and papers.

Adopted.

Senator Shippee announced to the Senate the death of his colleague, Assemblyman E. B. Price, and moved that the Senate, out of respect to the deceased, adjourn until to-morrow at ten o'clock A. M., and that the same be declared by a rising vote.

The question being put, the same, by a rising vote, was unanimously carried.

ADJOURNMENT.

Whereupon, at ten o'clock and twenty minutes A. M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 1, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arnis, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Broderick.

LEAVE OF ABSENCE.

Senator Wilson was granted a leave of absence for the day, on motion of Senator Langford.

Senator Broderick moved to take up messages from the Assembly.

So ordered.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirty-first day of January, passed Assembly Concurrent Resolution No. 11—Relative to the appointment of a committee to draft resolutions in memory of the late Hon. E. B. Price.

Also: Assembly Concurrent Resolution No. 12—Relative to the appointment of a committee to take charge of the arrangements for the funeral services of the late Hon. E. B. Price.

GEO. W. PECKHAM, Chief Clerk.
By M. YAGER, Assistant Clerk.

ASSEMBLY CONCURRENT RESOLUTION No. 11.

WHEREAS, In the dispensation of Providence, a sad duty has this day fallen to our lot, arising from the death of our esteemed colleague, the Hon. E. B. Price; therefore, be it

Resolved by the Assembly, the Senate concurring. That the Speaker of the Assembly appoint five members of the Assembly, and the President of the Senate appoint five members of the Senate, to act as a joint committee to draft suitable resolutions in memory of our late honored and esteemed colleague, Hon. E. B. Price.

Unanimously adopted.

ASSEMBLY CONCURRENT RESOLUTION No. 12.

Resolved by the Assembly, the Senate concurring. That a committee of five, consisting of three members of the Assembly and two members of the Senate, to be named by the Speaker and the President of the Senate, respectively, be appointed to take charge of all arrangements for the funeral services of the late Hon. E. B. Price.

Unanimously adopted.

The President appointed Senators Ostrom and Shippee as a committee from the Senate in compliance with Assembly Concurrent Resolution No. 12.

PRESENTATION OF PETITIONS.

Senator Campbell presented a petition, as follows:

Hon. R. H. CAMPBELL:

DEAR SIR, We beg to inform you, on this night a mass meeting was held in the M. E. Church, composed of citizens of this place, at which there were present, by actual count, two hundred and sixty-seven persons. At this meeting the following resolution was adopted by a rising vote, only two persons voting in the negative:

Resolved. That we hereby request our State Senator, the Hon. R. H. Campbell, to favor by his voice and vote Senate Bill No. 72 To provide a day of rest for laborers.

Signed by the Committee on Notification and twenty-six others.

Senator Ford moved to take up out of order Senate Joint Resolution No. 16.

So ordered.

SENATE JOINT RESOLUTION No. 16.

WHEREAS, A crisis has arisen in the affairs of the Hawaiian Government, and a desire has been expressed by a large number of the citizens of that Government that their country should be annexed to and become a part of the United States; and whereas, a delegation of citizens of the Hawaiian Government is now on its way to the National Capital to secure such national legislation as will secure the result above suggested; and whereas, the interests of California and of our entire country would be enhanced by the annexation to our domain of the islands now comprised in the territory of the Hawaiian Kingdom; therefore, be it

Resolved by the Senate of California, the Assembly concurring. That whenever the Hawaiian Government shall signify a desire that its territory should be annexed to and become a part of the territory of the United States, our Senators in Congress be instructed and our Representatives be requested to use all honorable means at their disposal to bring about such a result, upon such terms and conditions as may be most beneficial to the inhabitants of both countries; and further be it

Resolved. That it is the sense of the people of the State of California, that under no circumstances and under no conditions should any power other than the United States of America ever be permitted to obtain any control or protectorate over the islands comprising the territory of said Hawaiian Kingdom.

Resolved. That the Governor be requested to immediately telegraph these resolutions to our Senators and representatives at Washington.

Senator Ford moved that Senate Joint Resolution No. 16 be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams—30.

NOES—Mr. Maher—1.

MOTION.

Senator Ford moved that Senate Joint Resolution No. 16 be immediately transmitted to the Assembly.

So ordered.

SENATE JOINT RESOLUTION—(OUT OF ORDER).

By Senator Ostrom: Senate Joint Resolution No. 18—

WHEREAS, A disastrous break in the Feather River levee, about seven miles above the junction of that river with the Sacramento, which is seriously threatening the immediate destruction of the navigability of that stream, from the fact that immediately below the break of said levee the water is rapidly shoaling from the drifting sands and debris, thereby building up a permanent bar, which, if not soon remedied, will cause this invaluable navigable stream to abandon its natural channel, thus forever destroying a great river for all commercial purposes; and whereas, it is generally understood that there is now in the hands of the War Department one hundred and fifty thousand dollars to be expended in the improvement and rectification of the Feather and Yuba Rivers; and whereas, a pressing and urgent necessity now exists for the expenditure of some portion of the above-mentioned one hundred and fifty thousand dollars for the preservation of the said Feather River as a navigable waterway; therefore, be it

Resolved by the Legislature of the State of California, That the Secretary of War is urgently requested to take immediate steps to preserve the navigability of said Feather River.

Resolved, That a copy of the foregoing preamble and resolution be immediately forwarded by telegraph to the Secretary of War, at Washington.

Senator Ostrom moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Voorheis, and Whitehurst—28.

NOES—None.

MOTION.

Senator Ostrom moved that Senate Joint Resolution No. 18 be immediately transmitted to the Assembly.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Mrs. A. B. Campbell be and is hereby appointed Second Assistant Enrolling Clerk of the Senate, at the same per diem as other Enrolling Clerks, payable out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Broderick, Denison, Earl, Ford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Simpson, Streeter, Voorheis, and Whitehurst—22.

NOES—Messrs. Bailey, Burke, Carpenter, Fay, and McAllister—5.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following mileage account, viz:

SENATE CHAMBER, SACRAMENTO, January 25, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, having on January twenty-first, instant, visited the Asylum for the Deaf and Dumb and the Blind, at Berkeley, under permission previously given by the Senate, hereby submit their mileage account, and respectfully ask that the same be allowed, as follows:

Senator Biggy, 182 miles.....	\$18 20
Senator Seymour, 182 miles.....	18 20
Senator Everett, 182 miles.....	18 20

EVERETT, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and offer this resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of D. H. Everett, Chairman of the Committee on Public Buildings other than Prison Buildings, for the amount of fifty-four dollars and sixty cents for such mileage, and the warrant be drawn upon the appropriation for the contingent expenses of the Senate.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Fay, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Simpson, Streeter, and Whitehurst—24.
NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Edward Farrell be and is hereby appointed Sergeant-at-Arms of the Committee on Commerce and Navigation, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Denison, Earl, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Simpson, Streeter, and Williams—22.
NOES—Messrs. Carpenter, Ostrom, Seawell, and Seymour—4.

Also:

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That David Nagle be and is hereby appointed Assistant Clerk to the Committee on Counties and County Boundaries, at a per diem of five dollars, the same to be paid out of the fund for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Campbell, Denison, Earl, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Seymour, Streeter, and Williams—21.
NOES—Messrs. Berry, Burke, Carpenter, Fay, Ostrom, and Whitehurst—6.

Also:

SENATE CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Willie B. Ayer be and he is hereby appointed Page of the Senate, at a per diem of three dollars, payable out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back without recommendation.

STREETER, Chairman.

Senator Harp moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Berry, Campbell, Denison, Earl, Fay, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Simpson, Streeter, Voorheis, Whitehurst, and Williams—22.

NOES—Messrs. Bailey, Carpenter, Mathews, and Ostrom—4.

CALL OF THE SENATE.

Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Senator Goucher moved that further proceedings under the call be dispensed with.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, January 28, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That P. B. Chambers be and he is hereby appointed Senate Usher, at a per diem of five dollars, payable out of the Contingent Expense Fund of the Senate. It shall be his duty to aid in preventing confusion at the gates, and to assist in escorting visitors to seats, and to generally assist the Sergeant-at-Arms and the Gatekeepers in the performance of their duties.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Dunn, Earl, Goucher, Harp, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Streeter, and Williams—19.

NOES—Messrs. Bailey, Campbell, Carpenter, Denison, Gesford, Hoyt, Ostrom, Ragsdale, Seymour, Simpson, Voorheis, and Whitehurst—12.

QUESTION OF PRIVILEGE.

Senator Goucher arose to a question of privilege and stated that one Lee had caused to be printed in the "Fresno Expositor" of the thirtieth instant, a communication to the effect that Senator Goucher had been endeavoring to so manage affairs as to prevent any hearing before the Senate Committee on Counties and County Boundaries, of any opposition or proposed amendment to the bill providing for the creation of Madera County.

Senator Goucher pronounced this communication absolutely false, and alleged that he had asked the Chairman of the Senate committee, and the committee itself, in regular meeting, to give both sides of the Madera County proposition a full hearing, and to afford both sides ample time in which to present their arguments, petitions, and data.

Senator Goucher, in conclusion, invited the Senate committee and its members to verify the foregoing statements made by him.

Senators Denison, Voorheis, Mathews, Hart, Flint, Orr, and McAllister, of the Committee on Counties and County Boundaries, each affirmed the statement of Senator Goucher.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 225—An Act to amend sections four hundred and ninety-eight and five hundred and two of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872 relating to street railroad corporations—have had the same under consideration, and respectfully report the same back, and recommend that on page two, section one, line twenty-one, be amended by inserting the words "section two," and the bill as amended do pass.

Also: Senate Bill No. 453—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to street railroad corporations.

Also: Senate Bill No. 467—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," as approved March 13, 1883, and amended March 19, 1889.

Also: Senate Bill No. 426—An Act to provide for the payment to the State of California by fire, marine, accident, or life or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Also: Senate Bill No. 427—An Act requiring persons or corporations owning, controlling, or operating lines of street railways in cities, and cities and counties, of this State, having a population of over one hundred thousand inhabitants, to pay into the treasuries of such cities, and cities and counties, nine per centum of their gross receipts, for the improvement of parks and public squares.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 77—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 368—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BAILEY, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES—MAJORITY REPORT.

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 271—An Act to form San Antonio County—have had the same under consideration, and respectfully report the same back and recommend that it do not pass.

DENISON, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES—MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: A minority of your committee, to whom was referred Senate Bill No. 271—An Act to form San Antonio County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS.

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 322—An Act to create the county of San Jacinto.

Also: Senate Bill No. 321—An Act to attach part of the territory comprising the county of San Diego to the county of San Bernardino.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 131—An Act to form Riverside County—have had the same under consideration, and respectfully report the committee's substitute for same, and recommend that it do pass.

DENISON, Chairman.

ON FORESTRY, YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 46—An Act to amend sections six hundred and twenty-six and six hundred and thirty-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game.

Also: Senate Bill No. 88—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Also: Senate Bill No. 305—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the laws for the preservation of game birds and animals.

Also: Senate Bill No. 406—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that the substitute therefor do pass.

FLINT, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 261—An Act to establish a Naval Battalion, to be attached to the National Guard of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 332—An Act to authorize the acquisition by donation of a site for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EVERETT, Chairman.

Senate Bill No. 332 re-referred to Committee on Finance.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, January 31, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend An 'Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association,'" approved March 7, 1883," providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof.

Also: Senate Bill No. 65—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Also: Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds.

Also: Senate Bill No. 316—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Also: Senate Bill No. 235—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Senate Bill No. 236—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Also: Senate Bill No. 237—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Also: Senate Bill No. 320—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Also: Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Also: Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 223—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Also: Senate Bill No. 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891.

Also: Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Also: Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Also: Senate Bill No. 348—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

EVERETT, Chairman.

Senate Bills Nos. 148, 147, 65, 309, 316, 235, 236, 237, 320, 144, 222, 223, 224, 365, 492, and 348 re-referred to Committee on Finance.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Joint Resolution No. 16—Relative to the annexation of the Hawaiian Islands.

Also: Senate Joint Resolution No. 17—Relative to the examination of navigable waters in the State of California.

Also: Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, 140—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act entitled "An Act for the relief of insolvent debtors, the protection of creditors, and the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

Also: Committee Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140.

Also: Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for expenses thereof."

Also: Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf, Dumb, and Blind Asylum, and to make an appropriation therefor.

RAGSDALE, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 157—An Act to amend section two thousand six hundred and forty-three, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of public highways.

Also: Senate Bill No. 372—An Act to amend section two thousand six hundred and thirty-three, Political Code, and amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and to repeal section two thousand six hundred and forty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder," and to provide

for the appointment of Road Overseers for the various road districts within counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder.

Also: Senate Bill No. 373—An Act to amend section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder.

Also: Senate Bill No. 441—An Act to amend section seven of an Act entitled "An Act to amend sections two thousand six hundred and forty-one, two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, and [to repeal section two thousand six hundred and fifty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder," approved March 31, 1891.

Have had the same under consideration, and respectfully report back a substitute bill for all of them, and recommend that it do pass.

ORR, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 164—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 17, 1887, providing for the disorganization of irrigation districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

SEYMOUR, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 91—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California.

Also: Senate Bill No. 248—An Act to amend section seven hundred and ninety-two of the Political Code of the State of California, relating to Notaries Public.

Also: Senate Bill No. 225—An Act to add a new section, to be known as section eight hundred and two of the Political Code, in regard to powers and duties of Notaries Public. Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 459—An Act to amend section one thousand four hundred and one and to repeal section one thousand four hundred and two of the Civil Code of the State of California, relating to community property—have had the same under consideration, and respectfully report the same back without recommendation.

McGOWAN, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Also: Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as executive officer of the State Board of Forestry.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases—have had the same under consideration, and respectfully report the same back without recommendation.

VOORHEIS, Chairman.

REPORT OF SELECT COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your special committee appointed to make arrangements for the obsequies of our deceased colleague in the Assembly, Edward B. Price, beg leave to report that we have made all necessary arrangements for the funeral ceremonies, to convene in the Assembly Chamber at two o'clock p. m., this day, as appears from order of arrangements appended hereto, and further report that the following-named members have been selected to act as pall-bearers: Assemblymen Adams, Godchaux, Schroebel, Tindall, Burke, Simpson, Standart, Perkins.

Order of Arrangements.

1. The services will commence in the Assembly Chamber at two o'clock p. m.
2. The Senators are invited to sit with the Assemblymen, in the same order as at a joint assembly.
3. The Chaplain, and a minister selected by the family, will each perform such services as are usual.
4. At the close of the service in the Assembly Chamber, the Senators, Assemblymen, and friends of the deceased will pass around the remains, and file out to the west entrance of the Capitol.
5. At the entrance of the Capitol the funeral march will be taken up, and the Senators and Assemblymen will be expected to march to the cemetery.
6. At the grave the Odd Fellows will take charge of the obsequies.

SHIPPEE, Chairman Senate Committee.

FINLAYSON, Chairman Assembly Committee.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Whitehurst: Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Referred to Committee on Banks and Banking.

By Senator Mitchell: Senate Bill No. 548—An Act to amend section two thousand five hundred and twenty of the Political Code, relating to the Board of State Harbor Commissioners, the powers, duties, and terms of office, and time of taking office.

Referred to Committee on Commerce and Navigation.

By Senator Mahoney (by request): Senate Bill No. 549—An Act to provide for the election and term of office and salary of Justices of the Peace in all counties, and cities and counties, having a population of more than two hundred thousand.

Referred to San Francisco Delegation.

By Senator Hart: Senate Bill No. 550—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, two thousand six hundred and fifty-two, of the Political Code, and to enact a new section, to be known as section two thousand six hundred and forty-four of the Political Code, relating to roads and highways.

Referred to Committee on Roads and Highways.

Also: Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

The roll was then called on the final passage of Senate Bill No. 73, and the bill was refused final passage by the following vote:

AYES—Messrs. Arms, Broderick, Campbell, Dunn, Ford, Goucher, Hart, Maher, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, and Williams—19.

NOES—Messrs. Bailey, Berry, Burke, Carpenter, Denison, Earl, Fay, Harp, Hoyt, McAllister, Martin, Orr, Shippee, and Whitehurst—14.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

On motion of Senator Denison, Senate Bill No. 25 was passed on file.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

On motion of Senator Carpenter, Senate Bill No. 18 was passed on file, but to retain its place on the file.

Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Voorheis, and Williams—29.

NOES—Messrs. Carpenter and Maher—2.

Title read and approved.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 564—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 565—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

MOTION.

Senator Hart moved that the Secretary be instructed to order five hundred extra copies of Senate Bills Nos. 564 and 565.

So ordered.

ADJOURNMENT.

At twelve o'clock M., on motion of Senator Carpenter, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 2, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Harp.

LEAVE OF ABSENCE.

Senator Campbell was granted a leave of absence for the day, on motion of Senator Bailey.

Senator Wilson was granted a leave of absence for the day, on motion of Senator Ostrom.

RESIGNATION.

Senator Seawell requested that he be permitted to withdraw his name as a member of the Committee on State Prisons and Prison Buildings. Granted.

Thereupon, the President appointed Senator Ostrom, vice Senator Seawell, resigned, as a member of the Committee on State Prisons and Prison Buildings.

RESOLUTION.

By Senator Ford:

Resolved, That Senate Bill No. 49 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 49 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—32.

NOES—Mr. Gesford—1.

CASE OF URGENCY.

Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Goucher, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, and Williams—30.

NOES—Mr. Gesford—1.

Title read and approved.

RESOLUTION.

By Senator Mahoney:

Resolved, That Senate Bill No. 80 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 80 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Carpenter, Denison, Dunn, Earl, Ford, Goucher, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—28.

NOES—Mr. Fay—1.

CASE OF URGENCY.

Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Denison, Earl, Flint, Ford, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—22.

NOES—Messrs. Berry, Burke, Carpenter, Dunn, Fay, Gesford, Harp, McAllister, Mathews, and Orr—10.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 553 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 553 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 553—An Act making an appropriation for the support of the State Printing Office for the remainder of the forty-fourth fiscal year.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—30.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of the Debris Commissioners, and to make an appropriation to be expended under their direction in the discharge of their duties as such Commissioners—have had the same under consideration, and respectfully report a substitute herewith, and recommend that it do pass.

VOORHEIS, Chairman.

Substitute ordered to print.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the resolution appointing Andy Branch History Clerk of the Senate be amended to read as follows:

Resolved, That Andy Branch be and is hereby appointed Assistant Secretary of the Senate, with duties of History Clerk, at the same per diem as the Secretary of the Senate, commencing January 3, 1893, the same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrant for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—29.

NOES—Messrs. Carpenter and Gesford—2.

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 190—An Act to create the county of Buena Vista.

Also: Senate Bill No. 293—An Act to create the county of Kings.

Also: Senate Bill No. 189—An Act to create the county of Putnam.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

DENISON, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 466—An Act for the relief of Patrick Creighton—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CAMPBELL, Chairman.

Senate Bill No. 466 re-referred to Committee on Finance.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 40—An Act directing the Board of State Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego—have had the same under consideration, and respectfully report the same back without recommendation.

MAHONEY, Chairman.

Senate Bill No. 249 re-referred to Committee on Finance.

RESOLUTION—(OUT OF ORDER).

By Senator Shippee:

Resolved, That Miss D. McKinnon be and she is hereby appointed Assistant Enrolling Clerk of the Senate, at a per diem the same as that paid to the Enrolling Clerk, the same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY—MAJORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 508—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Also: Senate Bill No. 264—An Act to amend section one thousand eight hundred and eighty-one of the Civil Code of Procedure, relating to witnesses.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass. Minority report against passage of Senate Bill No. 508 is herewith submitted.

McGOWAN, Chairman.

ON JUDICIARY—MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: We, the undersigned, a minority of the Committee on Judiciary, have had Senate Bill No. 508 under consideration, and we recommend that it do not pass. In support of our recommendation we take the ground that said bill is in violation of section twelve, article eleven, of the Constitution, that it is a dangerous innovation, and directly destructive of the principles of local self-government.

McGOWAN.
FORD.

Also:

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners—have had the same under consideration, and respectfully report the same back without any recommendation.

McGOWAN, Chairman.

MOTION.

Senator Burke moved that Assembly Concurrent Resolution No. 7 be made a special order for Monday, February 6, 1893, immediately after the reading of the Journal.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 129—An Act to amend an Act entitled "An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven, of title sixteen, of part four, division one, of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 454—An Act creating a Board of Commissioners of Loan Associations, and prescribing their duties and powers—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, because covered by the provisions of Senate Bill No. 129.

McGOWAN, Chairman.

Senate Bill No. 129 ordered to print.

Also:

SACRAMENTO, February 2, 1893.

To the Senate of the State of California:

MR. PRESIDENT: Your committee, to whom was referred Senate Bill No. 120, for the purpose of rendering an opinion upon its constitutionality, have had the same under consideration, and respectfully report as follows:

Section 34, Article IV, of the Constitution, provides: "No bill making an appropriation of money, except a general appropriation bill, shall contain more than one item of appropriation, and that for one single and certain purpose, to be therein expressed."

An appropriation is defined by Webster as follows: "An appropriation is the act of setting apart or assigning to a particular use or person in exclusion of all others; an application to a special use or purpose, as of money to carry out some public object."

In the case of *Proll vs. Dunn*, 80 Cal. 222, the Court had under consideration the above constitutional rule, and was engaged in construing a statute that appropriated one certain sum for an express purpose. It will be noted that the Act decided to be in accordance with this provision of the Constitution in the case cited, appropriated, in effect, part of the money for the support and maintenance of the Mining Bureau, and part for geological work in the field. (See Statutes 1889, page 149.)

The Court in deciding the case says: "This Act does not conflict with, nor fall short of, the requirements of either of these constitutional provisions."

In *Murray vs. Colgan*, 94 Cal. 435, is the only authoritative decision construing Section 34, Article IV, of the Constitution, that I have been able to find in this State. In that case, the Act of March 31, 1891 (Statutes 1891, page 283), "An Act to encourage the cultivation of ramie in the State of California," was clearly in violation of this constitutional requirement; for in that Act there was, first, an appropriation of ten thousand dollars to encourage the cultivation of ramie in the State of California; second, an appropriation of two thousand four hundred dollars to pay the salary of the person to be appointed Superintendent of Ramie Culture during a specified time.

There can be no question whatever but that the Act contains two items of appropriation, and as the Constitution limits such measure to one item of appropriation, the measure was plainly unconstitutional.

But the requirement and direction of the Constitution in this respect does not stop with its mandatory decree that but one item of appropriation shall be in all bills appropriating money, except the general appropriation bill. Another restriction is engrafted, and that is expressed by the language of the Constitution in the following words: "And that for one single and certain purpose."

It will be thus seen that the Constitution provides that the one item of appropriation shall be for a single purpose. In other words, a dual purpose is prohibited, probably because the framers of the Constitution, having in view the procedure in legislative bodies, desired that legislators should have the fullest liberty of expressing upon a single object, without being hampered and embarrassed by a purpose legislatively attached to one more popular, and more likely to meet general favor. It was thus

thought that if items of appropriation were confined to one single purpose, the spectacle would be prevented of one meritorious appropriation carrying a fraudulent one through the ways of legislative life. No intelligent observer of modern legislation will deny the absolute safety of its policy, nor question its efficacy for purposes of good. Its remedial and salutary effects are a commendable and reliable safeguard, not only to those whose duty it is to pass in judgment upon legislative enactments, but to the citizen and taxpayer, who is thus made thoroughly acquainted, by succinct expression, with the object of the law.

Not only must the purpose of the law be "single," but it must be "certain."

The Act decided to be unconstitutional in *Murray vs. Colgan* seemed to possess the exceptional fatality of directly contravening the three positive requirements of the section. We have already observed how it conflicted with the provision of the State Constitution relative to the number of items of appropriation. It will be next seen that it contains at least two purposes: one, the encouragement of ramie culture in the State of California, and the other the appointment of an additional State officer. Nor was the purpose certain, for the law in question appropriated the money "either for the purchase of ramie roots for free distribution to farmers, or, in the payment of a bounty for merchantable ramie fiber." The specific language quoted left it a matter of conjecture whether the money appropriated was intended to buy ramie roots, to be distributed to the farmers, and thus encourage the planting of this article, or whether the State, or the officers charged with the carrying into effect the provisions of the bill, would not make this free distribution, but would hold themselves out as encouraging the industry of its growth by the payment of a bounty. Two distinct means are provided by the law by which it is intended to encourage the growth of ramie; and money appropriated to carry out both cannot be said to be appropriated for a single and certain purpose.

The question for the determination of this committee is, "Whether the bill referred to—Senate Bill No. 120—tested by the rules laid down in *Murray vs. Colgan*, and the rule of construction adopted in reference to that part of the Constitution, is framed within the Constitution?" It is not pretended that the bill trenches upon any other constitutional ground, nor have any directions of the Constitution been pointed out to us, except the one quoted, that would destroy the legality of the measure formulated as it is.

In view of the rules clearly established by the decision cited, and upon reason, the bill is not in conflict with the Constitution. A brief inspection of its provisions shows that it appropriates one item, to wit: two hundred and sixty-one thousand four hundred and fifty dollars. Like the Act of appropriation in *Proll vs. Dunn*, *supra*, the sum appropriated is confined to one single item. Unlike the Act of appropriation in *Murray vs. Colgan*, *supra*, it is not divided into two separate sums. The disposition of part of the appropriation for a part of the work, follows the plan adopted in the Act construed in *Proll vs. Dunn*. Such course was passed without question in that case, and it seems, for the most cogent reasons, that a Legislature, exercising its judgment in the appropriation of the public money for a beneficial purpose, may say to what extent the expenditure may proceed, or upon what part of a given work or structure the money shall be expended. The Act appropriates the money; in other words, sets it apart for a specific use or purpose. The manner of expenditure is a secondary matter—a direction to the person whose duty it shall be to carry into effect the object of the appropriation.

Is the purpose of the bill "certain" within the meaning of the Constitution? It seems that its certainty of purpose cannot admit of doubt, for it leaves no discretion to be exercised, no judgment to be influenced, and no option to be invoked by any person; nor does its operation depend upon the happening of any event or contingency. Its certain purpose is to appropriate money for the construction of the buildings mentioned in the Act.

Conceding that the bill is valid and in harmony with the Constitution, upon the propositions already argued, the argument more seriously directing attention was whether or not the bill possessed that singleness of purpose essential to bring it to the constitutional standard. It must be confessed that the first impression of the bill led to the opinion that it is fatally defective in this structural requirement, but closer inspection and more careful consideration readily dispels that idea, and convinces that this erroneous impression of the bill was created by the bill providing in detail for the work for which the money is to be appropriated. It requires no argument to demonstrate that the details, not incongruous, but similar in nature, in the aggregate form one harmonious purpose, thus giving to the bill that "single purpose" imperatively demanded by the Constitution.

The work contemplated by the bill, and for which the money is to be appropriated, is to be done at one place, under one management, and has in view one object and purpose—the proper care of the insane. All its details are part of one single enterprise and undertaking; their relations are in strictest harmony; their characters are the same; they blend in legal symmetry under the touch of general unity; and, thus construed, the bill is not subject to the criticism that it violates the Constitution in its lack of a "single purpose."

From the foregoing, the committee decides that Senate Bill No. 120 is drawn in accordance with Section 34, Article IV, of the Constitution, and that so far as its constitutionality is involved it should not be denied passage.

McGOWAN, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners—have had the same under consideration, and respectfully report the same back, and recommend that the inclosed substitute do pass.

Also: Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 462—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prisons at San Quentin and Folsom—have had the same under consideration, and respectfully report the same back.

SEYMOUR, Chairman.

Substitute for Senate Bill No. 137 ordered to print.

Senate Bill No. 463 ordered to print.

WITHDRAWAL OF BILLS.

Senator McAllister asked unanimous consent to withdraw Senate Bill No. 462, he being the author.

Granted.

Senate Bill No. 462 withdrawn.

Senator Hoyt moved that Senate Bill No. 349 be re-referred to Committee on Counties and County Boundaries.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 9—Relative to foreign immigration to the United States.

Also: Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WILLIAMS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Maher:

Resolved, That A. W. Johnson be and he is hereby appointed Assistant Enrolling Clerk of the Senate, with the same per diem as Enrolling Clerk, same to be paid out of Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Earl: Senate Bill No. 566—An Act entitled an Act concerning county government.

Referred to Committee on County Government and Township Organization.

By Senator Orr: Senate Bill No. 567—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts.

Referred to Committee on Judiciary.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Langford: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines from taxation.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of February, passed Senate Concurrent Resolution No. 2 -Relative to approving the charter of the city of Sacramento, State of California.

Also: Assembly Joint Resolution No. 19—Relative to a public building at Visalia.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Concurrent Resolution No. 2 ordered to enrollment.

Assembly Joint Resolution No. 19 referred to Committee on Public Buildings other than Prison Buildings.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of February, passed Assembly Joint Resolution No. 16—Relating to the annexation of the Hawaiian Islands.

Also: Assembly Joint Resolution No. 17—Relating to the examination or survey of the waters of the river system tributary to the bay of San Francisco.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Joint Resolution No. 16 referred to Committee on Federal Relations.

Assembly Joint Resolution No. 17 referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirtieth day of January, adopted Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe the Government.

Also: Assembly Joint Resolution No. 10—Relative to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, and San Benito Counties.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Joint Resolution No. 8 referred to Committee on Judiciary.

Assembly Joint Resolution No. 10 referred to Committee on Public and Swamp and Overflowed Lands.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ragsdale: Senate Bill No. 568—An Act providing for the dissolution of certain corporations doing a banking business.

Referred to Committee on Banks and Banking.

Also: Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Referred to Committee on Education and Public Morals.

Also (by request): Senate Bill No. 570—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Referred to Committee on Finance.

Also: Senate Bill No. 571—An Act to amend an Act entitled "An Act in relation to fence and pound district in the county of Sonoma," approved March 2, 1872.

Referred to Committee on Counties and County Boundaries.

By Senator Maher: Senate Bill No. 572—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 573—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878.

Referred to San Francisco Delegation.

By Senator Voorheis: Senate Bill No. 574—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Referred to Committee on Finance.

By Senator Mathews: Senate Bill No. 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889.

Referred to Committee on Finance.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 25—An Act to amend section five hundred and eighty-one of the Code of Civil Procedure, in relation to dismissal of actions.

Senator Denison moved that Senate Bill No. 25 be stricken from the file, and that Senate Bill No. 22 be substituted therefor on file.

So ordered.

Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Carpenter, Denison, Dunn, Earl, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Williams—26.
NOES—Mr. Burke—1.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 15—Relative to the construction of a deep-water harbor at San Pedro—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WILLIAMS, Chairman.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 18—An Act to amend section fifteen hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.
Passed on file, on motion of Senator Maher.

RESOLUTION.

By Senator Goucher:

Resolved, That Senate Bill No. 393 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 393 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Carpenter, Denison, Earl, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—28.
NOES—Messrs. Burke, Dunn, Fay, Ostrom, and Whitehurst—5.

CASE OF URGENCY.

Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Carpenter, Denison, Earl, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—29.
NOES—Messrs. Burke, Dunn, Fay, Ostrom, and Whitehurst—5.

Title read and approved.

RESOLUTION.

By Senator McGowan:

Resolved, That Senate Bill No. 384 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 384 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—31.

NOES—Messrs. Arms and Orr—2.

CASE OF URGENCY.

Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Read second time, and committee amendment as follows adopted:

By striking out all after the word "misdemeanor," on line seven of the printed bill down to and including the word "passage" in section two.

Ordered printed and engrossed as amended and on file for third reading.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Passed on file.

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Passed on file, on motion of Senator Maher.

RECESS.

The hour of twelve o'clock having arrived, a recess was declared until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Williams.

Quorum present.

COMMUNICATION.

SAN FRANCISCO, February 1, 1893.

To the honorable the President of the Senate:

DEAR SIR: The Anti-Japanese League instructed me to call the attention of the Legislature to the alarming increase in the immigration of Japanese slave laborers. The Japs are being brought here to take the places of the Chinese, who are shut out by our laws. They are as undesirable as are the Chinese. They belong to the same race (Mongolian), and as such cannot become citizens of this great republic. These alien interlopers come to disrupt and disorganize our domestic labor market, and to be educated in our public schools at the expense of our citizens. We are taxed heavy enough now to educate our own children, without adding to our burden the education of the golden youth of Japan. We want the same laws that shut out the Chinese to be so amended as to apply to the Japanese. We respectfully request you to lay this matter before the honorable body over which you preside, and urge upon its members the necessity of their passing a resolution demanding that Congress pass the required legislation.

In the event of your needing any more light on this, to us, most important of all questions, my services and those of the Executive Committee are at your disposal.

Your obedient servant,

DENIS KEARNEY,

President of the Anti-Japanese League, 361 First Street, San Francisco.

EXCUSED.

Master Martin, a Page of the Senate, was excused from attendance for the day, on account of sickness.

LEAVE OF ABSENCE.

Senator Hart was granted a leave of absence for the day, on motion of Senator Ford.

Senator Streeter was granted a leave of absence for the day, on motion of Senator Flint.

SPECIAL FILE.

Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and

kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Passed on file.

Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Carpenter, Denison, Dunn, Flint, Ford, Gessford, Goucher, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seymour, Simpson, and Whitehurst—21.

NOES—Messrs. Burke, Fay, Harp, and Ostrom—4.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Also: Senate Bill No. 80—An Act to provide for increasing the efficiency of Paid Fire Departments within municipalities in the State of California.

RAGSDALE, Chairman.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

On motion of Senator Ragsdale, Senate Bill No. 116 was passed on file, but to retain its place on file.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Passed on file, on motion of Senator Mathews, the author.

Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, and Williams—27.
NOES—None.

Title read and approved.

Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

On motion of Senator Seymour, Senate Bill No. 125 was passed on file, to retain its place on file.

Senate Bill No. 52—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure of the State of California, relating to the manner of selecting grand and trial jurors.

Senator Gesford asked unanimous consent to withdraw Senate Bill No. 52, and to substitute in place thereof on the file Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140.

Permission granted.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

On motion of Senator Gesford, Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140 was passed on file, to retain its place on file.

Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, and Williams—26.
NOES—Mr. Burke—1.

Senator Broderick moved to amend the title so as to read as follows:

An Act to appropriate twenty-five thousand dollars for the purchase of a site for, and the erection of, a State Hospital for Lepers.

Adopted.

Title as amended read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly enrolled: Senate Bill No. 455—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

RAGSDALE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Passed on file, on motion of Senator Carpenter.

Substitute for Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Passed on file, on motion of Senator Broderick.

Senate Bill No. 55—An Act to amend section one thousand one hundred and seven of the Civil Code of the State of California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, and Whitehurst—31.

NOES—None.

Title read and approved.

Senator Voorheis moved to take up Senate Bill No. 267, temporarily passed on file.

So ordered.

Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Voorheis, Whitehurst, and Williams—28.

NOES—None.

Title read and approved.

Senate Bill No. 72—An Act to provide for a day of rest from labor.

Read third time.

Senator Maher moved that the bill be referred to Senator Burke, as a committee of one, to amend as follows:

Strike out from lines two and three the words "require against their will," and insert in lieu thereof, in line two, the word "cause" after the word "to;" and insert on line three, after the word "seven," "*provided, however,* that the provisions of this section shall not apply to any case of emergency, and excepting also domestic servants."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 72, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BURKE, Committee.

Report of special committee adopted.

Senate Bill No. 72 ordered reengrossed, printed, and that it retain its place on the file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Dunn, Earl, Fay, Ford, Gesford, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, and Williams—29.

NOES—None.

Title read and approved.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California.

Read third time.

CALL OF THE SENATE.

Pending roll call, Senator Ford moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Williams.

On motion of Senator Ford, further proceedings under the call of the Senate were dispensed with, and a new roll call ordered on the passage of Senate Bill No. 210.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Carpenter, Denison, Dunn, Earl, Flint, Ford, Hart, Hoyt, Langford, McAllister, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Williams—25.

NOES—Messrs. Fay, Gesford, Goucher, Harp, McGowan, and Martin—6.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Seawell gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the title to Senate Bill No. 210 was this day approved.

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Senator Maher moved that Senate Bill No. 74 be passed on file, to retain its place on file.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hart: Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

Referred to Committee on Finance.

By Senator Flint: Senate Bill No. 577—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County Government and Township Organization.

MOTION.

Senator Ragsdale moved to take up out of order messages from the Governor.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 31, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 17 and 455.

H. H. MARKHAM, Governor.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Senator McGowan moved that Senate Bill No. 166 be made the special order for Monday next, immediately following the special order already set for that day.

So ordered.

LEAVE OF ABSENCE.

At three o'clock P. M., on motion of Senator Hart, the Committee on Education and Public Morals was granted leave of absence for the balance of the day.

Senator Gesford was granted a leave of absence for the remainder of the week.

Senator Carpenter was granted a leave of absence for the day, on motion of Senator Berry.

Senator Ford was granted a leave of absence for the remainder of the day.

ADJOURNMENT.

At three o'clock and six minutes P. M., on motion of Senator Mahoney, the Senate adjourned until to-morrow at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Friday, February 3, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

PRESENTATION OF PETITION.

The following petition was presented by Senator Campbell:

ANDERSON, CALIFORNIA, January 30, 1893.

Hon. R. H. CAMPBELL:

DEAR SIR: This is to certify that on this night a meeting was held of the citizens of this place, at which one hundred and thirty-five persons were present. The following resolution was voted upon and by a rising vote adopted—only two persons voting in the negative:

Resolved, That we request our State Senator, the Hon. R. H. Campbell, to give his earnest support to Senate Bill No. 72—Providing a day of rest for laborers.

(Signed:)

A. L. WILLIAMS,
J. B. BERGER,
C. G. STRONG,
J. M. MERRYMAN,
W. G. RANKIN,
C. K. PARSONS,

Committee at Anderson, Shasta County, California.

REPORTS OF STANDING COMMITTEES.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Also: Senate Bill No. 69—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Also: Senate Bill No. 524—An Act entitled "An Act concerning municipal corporations."

Also: Senate Bill No. 482—An Act regulating the location of manufactories for the making of giant powder, gun powder, blasting powder, or any explosive substance, the storage of explosives, and providing a penalty therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 181—An Act to provide for the organization, incorporation, and government of towns.

Also: Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 192—An Act to amend section twenty-five of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the powers and duties of Boards of Supervisors—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County Government and Township Organization.

BAILEY, Chairman.

Senate Bill No. 192 re-referred to Committee on County Government and Township Organization.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 162—An Act to encourage fiber culture.

Also: Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 31—An Act to add a new section to the Penal Code, to be known as section one hundred and fifty-nine and one half, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Judiciary Committee.

SHIPPEE, Chairman.

Senate Bill No. 311 re-referred to Committee on Finance.

Assembly Bill No. 31 re-referred to Committee on Judiciary.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 383—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885, and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others; and also inserting a new section in said Code, to be numbered section one thousand two hundred and three—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass.

Also: Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 412—An Act to amend section one thousand five hundred and thirty-nine, Code of Civil Procedure of the State of California.

Also: Senate Bill No. 413—An Act to amend one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 414—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 415—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Also: Senate Bill No. 416—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

McGOWAN, Chairman.

Substitute for Senate Bill No. 383 ordered to print.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay—have had the same under consideration, and respectfully report the same back, and unanimously recommend that it do pass as amended.

HART, Chairman.

MOTION.

Senator Shippee moved that Rule V of Senate rules be temporarily suspended, in order that he might present a petition out of order.

The roll was called, and Rule V suspended by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, and Williams—28.

NOES—Messrs. Earl and Whitehurst—2.

PRESENTATION OF PETITIONS—(OUT OF ORDER).

By Senator Shippee: With the request that the same be printed in the Journal, and referred to Committee on Counties and County Boundaries.

So ordered.

To the members of the Senate of the State of California:

We, the undersigned, residents of the county of Butte, State of California, do most respectfully remonstrate against the passage of an Act entitled "An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County," for the following reasons, to wit:

First—Such an Act is against the wishes of a majority of the people of Butte County.

Second—The division of the county of Butte will entail a large and unnecessary expense upon the taxpayers thereof.

Third—The proposed division will leave only about one fifth of the taxable property in the county of Butte, and nearly all the mountainous and unproductive portion.

And your remonstrants will ever pray.

Signed by Dr. W. F. Gates and one thousand two hundred and thirty-six others.

BUTTE COUNTY, January 20, 1893.

By Senator Seawell: With the request that the same be printed in the Journal, and referred to Committee on Education and Public Morals.

So ordered.

To the honorable members of the Senate and Assembly of the State of California:

GENTLEMEN: The undersigned, members of the Woman's Christian Temperance Union, and other citizens of Mendocino County, most respectfully pray your honorable body to enact a law, to become a new section of the Penal Code of California, providing, substantially, that every person who shall, within two miles of the Mendocino State Asylum for the Insane at Ukiah, sell, give away, or expose for sale, any vinous, malt, or alcoholic liquors, shall be guilty of a misdemeanor, and shall be punished accordingly.

And your petitioners will ever pray, etc.

Signed by S. C. Poage and eighty-eight others.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Denison: Senate Bill No. 578—An Act permitting Mrs.

Emma Kelly to sue the State of California, for damages for the death of her husband, George H. Kelly, deceased.

Referred to Committee on Judiciary.

By Senator Seymour: Senate Bill No. 579—An Act to define the duties of County Surveyors, and to regulate and provide for their compensation.

Referred to Committee on County Government and Township Organization.

By Senator Earl (by request): Senate Bill No. 580—An Act entitled an Act to appropriate money to pay the claim of Patrick Begley for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners.

Referred to Committee on Finance.

By Senator Maher: Senate Bill No. 581—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

Referred to Committee on City, City and County, and Town Governments.

By Senator Flint: Senate Bill No. 582—An Act making an appropriation to pay the deficiency in the appropriation for restoration and preservation of fish in the waters of the State for the forty-second and forty-third fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 583—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Referred to Committee on Finance.

By Senator Mahoney: Senate Bill No. 584—An Act to amend an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891.

Referred to Committee on City, City and County, and Town Governments.

By Senator Ostrom: Senate Bill No. 585—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, title eleven, chapter three, article three, section one thousand three hundred and sixty-five, concerning letters of administration, to whom, and the order in which they are granted.

Referred to Committee on Judiciary.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of February, passed Assembly Bill No. 1—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-second fiscal year.

Also: Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Also: Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Also: Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year

GEO. W. PECKHAM, Chief Clerk.

By JOHN T. RYAN, Assistant Clerk.

Assembly Bills Nos. 1, 75, and 146 referred to Committee on Finance.
Assembly Bill No. 9 referred to Committee on Judiciary.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 72—An Act to provide for a day of rest from labor.
Passed on file.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Passed on file, on motion of Senator Carpenter.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Passed on file, on motion of Senator Ostrom.

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Read third time.

CALL OF THE SENATE.

Senator Everett moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams.

On motion of Senator Everett, further proceedings under the call of the Senate were dispensed with.

The roll was called on the final passage of Senate Bill No. 274, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Hoyt, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Williams—26.

NOES—Messrs. Berry, Burke, Carpenter, Dunn, Fay, Harp, McAllister, and Martin—8.

Title read and approved.

Senate Bill No. 384—An Act to amend an Act entitled “An Act to establish a Penal Code,” approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Whitehurst, and Williams—31.

NOES—None.

Title read and approved.

Senate Bill No. 116—An Act to amend an Act entitled “An Act to establish a Civil Code,” approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

Senator Ragsdale moved that Senate Bill No. 116 be made the special order for Monday next, immediately following the special orders already set for that day.

So ordered.

Senate Bill No. 36—An Act to amend an Act entitled “An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California,” approved March 11, 1891.

Read third time.

Senator Burke moved that the bill be recommitted to Senator Orr, as a committee of one, to amend as follows:

After word “buildings,” in line five, page one, insert the words “now in process of construction.”

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 36, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

ORR, Committee.

The roll was called on the adoption of the report of the special committee, and the report adopted by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Fay, Gesford, Harp, Hart, Hoyt, McAllister, Martin, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—23.

NOES—Messrs. Arms, Bailey, Broderick, Everett, Flint, Goucher, Maher, Mahoney, Mitchell, Seymour, and Williams—11.

Senate Bill No. 36 ordered reengrossed, printed, and that it retain its place on file.

MOTION.

Senator Mathews moved that Rule V be temporarily suspended, and that the Senate proceed to consider Senate Joint Resolution No. 15.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—32.

NOES—Messrs. Arms and Hoyt—2.

MOTION.

Senator Mathews moved to take up, out of order, Senate Joint Resolution No. 15.

So ordered.

SENATE JOINT RESOLUTION No. 15.

Joint resolution relating to the construction by the United States Government of a deep-water harbor at San Pedro, on the coast of Los Angeles County.

WHEREAS, The Board of Engineers appointed by the Secretary of War to inquire into and report upon the best point for the construction by the United States Government of a deep-water harbor on the coast of Southern California, and the necessities for such work, have reported in favor of San Pedro, on the coast of Los Angeles County, and also in favor of the necessity of such harbor being constructed; and whereas, it will afford greatly needed facilities for ocean commerce to a large section of this State; therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That we instruct our Senators, and urgently request our Representatives in Congress from this State, that they use every means in their power to secure at the session of Congress now in session the passage of a bill appropriating the sum of at least five hundred thousand dollars, to begin the construction of such a deep-water harbor at San Pedro, on the seacoast of Los Angeles County, in this State, as is contemplated in the report of the Board of Engineers hereinbefore referred to; and be it

Resolved, That the Governor be requested to transmit to each of our Senators and Representatives in Congress from this State a copy of these resolutions.

The roll was called, and Senate Joint Resolution No. 15 adopted by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—32.

NOES—Mr. Berry—1.

Senator Voorheis moved to take up, out of order, Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was then taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 587—An Act to provide for an appropriation for the contingent expenses of the Assembly.

GEO. W. PECKHAM, Chief Clerk.
By H. A. MASON, Assistant Clerk.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 587 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 587 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Williams—29.

NOES—Messrs. McGowan and Mahoney—2.

CASE OF URGENCY.

Assembly Bill No. 587—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, and Williams—32.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Senator Campbell:

Resolved, That the sum of two hundred and forty-six dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate, to R. H. Campbell, for expenses incurred in the Jordan and Spelling cases, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of R. H. Campbell for said claim.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SENATE JOINT RESOLUTION.

By Senator Ostrom: Senate Joint Resolution No. 19—Relative to the Pacific Railroad indebtedness to the United States.

Referred to Committee on Federal Relations, with instructions to report same back on Monday next.

LEAVE OF ABSENCE.

Senator Denison was granted a leave of absence for the day, on motion of Senator Simpson.

RESOLUTION.

By Senator McGowan:

WHEREAS, There is now pending before this body Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners; and whereas, the said resolution is set for hearing before this body as a special order for Monday, February 6, 1893; now, therefore, be it

Resolved, That the citation of this body in due form of law issue herein, directed to the persons named in said resolution as State Railroad Commissioners, to be and appear before the bar of the Senate on Monday, February 6, 1893, immediately after the reading of the Journal, and show cause, if any they have, why they and each of them should not be removed from said office of State Railroad Commissioners, for the reasons and upon the grounds set forth in said resolution as amended.

Pending debate, and while Senator McAllister had the floor, Senator Goucher moved that the Senate take its recess at the regular hour, and

that Senator McAllister be entitled to the floor immediately upon reconvening.

So ordered.

Senator McGowan moved that the consideration of the resolution be made the special order immediately after recess.

So ordered.

RECESS.

The hour of twelve o'clock M. having arrived, a recess was declared until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

MOTION.

Senator McGowan moved that Rule VII be temporarily suspended, and that the Senate consider the special order set for this hour.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, and Williams—34.

NOES—Messrs. Arms, Mahoney, and Voorheis—3.

SPECIAL ORDER.

Consideration of resolution offered by Senator McGowan, relating to Assembly Concurrent Resolution No. 7.

The question being on the adoption of the resolution.

Pending debate, Senator Earl moved to amend the resolution as follows:

After the word "before," on line twenty-one, it be made to read: "a special committee of seven members of the Senate, to be appointed on Monday, February 6, 1893, immediately after the reading of the Journal, and show cause, if any they have, why they, and each of them, should not be removed from said office of State Railroad Commissioners, for the reasons and upon the grounds set forth in said resolution as amended."

Senator Langford offered the following amendment to the amendment:

WHEREAS, There is now pending before this body Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners; and whereas, the said resolution is set for hearing before this body as a special order for Monday, February 6, 1893; now, therefore, be it

Resolved, That the citation of this body in due form of law issue herein, directed to persons named in said resolution as State Railroad Commissioners, to appear before the bar of the Senate Monday, February 6, 1893, at seven o'clock and thirty minutes P. M.; that the session of this Senate be called at that hour, and that they show cause, if any they have, why they and each of them should not be removed from office as Railroad Commissioners, for the reasons and upon the grounds set forth in said resolution as

amended; that said Commissioners have right to appear in person and not by counsel, and that the time of hearing under this resolution be limited to two evenings, February 6th and February 7th, and that the special order be deferred until two o'clock P. M., February 8th.

POINT OF ORDER.

Senator Gesford arose to a point of order, and insisted that as the subject-matter referred to had already been set by the Senate as a special order at an hour earlier than that named in Senator Langford's amendment, the Senate could not set two different hours for the consideration of the same matter.

The President declared the point of order well taken.

Senator McGowan, with the consent of his second, accepted the amendment offered by Senator Earl.

The question then being on the original resolution, as amended, the roll was called, and the resolution, as amended, adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—26.

NOES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Langford, McAllister, Mathews, Mitchell, Ostrom, Seawell, and Whitehurst—13.

NOTICE OF RECONSIDERATION.

Senator Gesford gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above resolution was adopted.

LEAVE OF ABSENCE.

The Committee on Hospitals was granted leave of absence until Wednesday next.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That three members of the Committee on Commerce and Navigation be and they are hereby granted permission to visit the city of San Diego, in connection with a like committee from the Assembly, for the purpose of investigating the harbor of San Diego.

Senator Carpenter moved to refer the resolution to the Committee on Commerce and Navigation.

AYES AND NOES.

The ayes and noes were demanded by Senators Mahoney, Broderick, and Maher.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Burke, Carpenter, Dunn, Earl, Flint, Hoyt, Langford, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, and Whitehurst—15.

NOES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Everett, Fay, Ford, Gesford, Goucher, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Simpson, Streeter, Voorheis, and Williams—21.

The question recurring on the adoption of the resolution, the roll was called, and the resolution lost by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Earl, Fay, Ford, McGowan, Maher, Mahoney, Martin, Mitchell, Seymour, Streeter, and Williams—15.

NOES—Messrs. Berry, Burke, Campbell, Carpenter, Dunn, Gesford, Goucher, Harp, Hoyt, McAllister, Mathews, Orr, Ostrom, Ragsdale, Seawell, Simpson, Voorheis, and Whitehurst—18.

SENATE JOINT RESOLUTION.

By Senator Arms:

SENATE JOINT RESOLUTION No. 20.

The Legislature of the State of California, relative to the classification of clerks in first and second-class Post Offices, and fixing the salaries of the same.

WHEREAS, A bill was introduced in the House of Representatives of the United States by Representative Wilson of Missouri, during its present session, entitled "A bill for the classification of clerks in first and second-class Post Offices, and fixing the salary of the same."

Resolved by the Legislature of the State of California. That it approves of the purpose of said bill, and requests the passage of such a bill by the Congress of the United States, as a laudable, just, and worthy measure, productive of a good public policy.

Resolved, That attested copies of this resolution be forwarded to the California delegation in Congress, with the request that such a bill receive its vote and earnest support.

Senator Arms moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Earl, Everett, Fay, Ford, Gesford, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—30.

NOES—None.

Senator Simpson, on behalf of the Committee on Hospitals, withdrew his request for a leave of absence.

Whereupon, the President declared the Committee on Hospitals not excused.

Senator Ford, in compliance with the notice given by Senator Seawell on yesterday, moved the reconsideration of the vote whereby the title to Senate Bill No. 210 was approved.

The roll was called, and the Senate decided to reconsider by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Carpenter, Everett, Ford, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—22.

NOES—Messrs. Berry, Burke, Earl, Fay, Gesford, Goucher, Harp, Mahoney, Orr, and Voorheis—10.

MOTION.

Senator Ford moved that the bill be recommitted to Senator Hart, as a committee of one, to amend as follows:

Amend the title by adding thereto the following words: "and to provide a penalty for a violation of the provisions of this Act."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 210, with instructions to amend the title—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

HART, Committee.

Report of special committee adopted.

Title as amended approved.

Bill ordered to print and engrossment.

RESOLUTION—(OUT OF ORDER).

By Senator Streeter:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills:

Sacramento Glass and Crockery Company, two filters, at \$9.....	\$18 00
H. S. Crocker & Co., postal scales.....	11 50
C. H. Rave, locksmith.....	63 75
Union Ice Company.....	3 50
John T. Stoll, mail bag.....	4 00

The same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SENATE JOINT RESOLUTION.

By Senator Goucher: Senate Joint Resolution No. 21—Relative to making Yosemite Valley a National Park.

Referred to Committee on Federal Relations and Immigration.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Also: Senate Joint Resolution No. 15—Relative to the construction of a deep-water harbor at San Pedro.

RAGSDALE, Chairman.

ADJOURNMENT.

At three o'clock and thirty minutes P. M., on motion of Senator Seymour, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, February 4, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Orr.

LEAVE OF ABSENCE.

Senator Hart was granted a leave of absence for the day, on motion of Senator Williams.

Senator Mitchell was granted a leave of absence for the day, on motion of Senator Arms.

Senator Wilson was granted a leave of absence for the day, on motion of Senator Ostrom.

Senator Earl was granted a leave of absence for the day, on motion of Senator Ostrom.

Senator Fay was granted a leave of absence for the day, on motion of Senator Orr.

APPROVAL OF JOURNALS.

The Journals of Saturday, January 28th, Monday, January 30th, Tuesday, January 31st, Wednesday, February 1st, Thursday, February 2d, and Friday, February 3d, 1893, were then approved.

PRESENTATION OF PETITION.

By Senator Shippee: With the request that the same be printed in the Journal, and referred to Committee on Counties and County Boundaries.

So ordered.

To the members of the Senate of the State of California:

We, the undersigned, residents of the county of Butte, State of California, do most respectfully remonstrate against the passage of an Act entitled "An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County," for the following reasons, to wit:

First—Such an Act is against the wishes of a majority of the people of Butte County.

Second—The division of the county of Butte will entail a large and unnecessary expense upon the taxpayers thereof.

Third—The proposed division will leave only about one fifth of the taxable property in the county of Butte, and nearly all the mountainous and unproductive portion.

And your remonstrants will ever pray.

Signed by I. W. Kitchen and three hundred and thirty-seven others.

BUTTE COUNTY, January 20, 1893.

REPORTS OF STANDING COMMITTEES.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 457—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Also: Senate Bill No. 436—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

MAHER, Chairman.

THE SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Judiciary.

MAHER, Chairman.

Senate Bill No. 369 re-referred to Committee on Judiciary.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Also: Assembly Joint Resolution No. 10—Relating to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, and San Benito Counties.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HOYT, Chairman.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies—having previously reported the same back without recommendation, desire, on account of having had additional information regarding the same, beg leave to amend by respectfully reporting the same back, and recommend that it do pass.

Also: Senate Bill No. 361—An Act for the relief of J. F. Chapman & Co. for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

Also: Senate Bill No. 265—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents, to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Also: Senate Bill No. 266—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CAMPBELL, Chairman.

Senate Bills Nos. 188, 361, 265, and 266 re-referred to Committee on Finance.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

MAHER, Chairman.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 537—An Act to amend section five hundred and seventy-five of the Civil Code, relating to making and drawing deposits and dividends in savings banks.

Also: Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking."

Also: Senate Bill No. 547—An Act to provide for the semi-annual statements by corporations and persons engaged in the business of banking.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

FLINT, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That A. W. Johnson be and he is hereby appointed Assistant Enrolling Clerk of the Senate, with the same per diem as Enrolling Clerk, the same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Ford, Gosford, Goucher, Harp, Hoyt, McGowan, Maher, Mahoney, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—22.

NOES—Messrs. Burke, Carpenter, Mathews, Ostrom, and Whitehurst—5.

Also:

SENATE CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Mrs. Sadie L. Cooper be and she is hereby appointed Assistant Enrolling Clerk of the Senate, at a per diem the same as that paid to the Enrolling Clerk, the same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also:

Resolved, That Miss D. McKinnon be and she is hereby appointed Assistant Enrolling Clerk of the Senate, at a per diem the same as that paid to the Enrolling Clerk, the same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back without recommendation.

STREETER, Chairman.

On motion of Senator Bailey, the above resolutions were re-referred to Committee on Attachés, Contingent Expenses, and Mileage.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Also: Senate Bill No. 130—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Also: Senate Bill No. 543—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 514—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California, approved March 30, 1874, relating to publication of assessment notices of incorporated companies—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Corporations.

Also: Senate Bill No. 409—An Act to amend section one thousand and thirty-two of the Political Code, relating to public records.

Also: Senate Bill No. 544—An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit upon the amount that may be distributed to any single person.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 442—An Act to prevent the leading, taking, carrying away, decoying, or enticing away any child under the age of ten years, from the parent or parents, or other persons having the lawful charge or possession of such child, and of fixing penalties for violation of this Act.

Also: Senate Bill No. 534—An Act to add a new section to the Penal Code, to be known as section —, relating to defrauding proprietors and managers of livery stables.

Also: Senate Bill No. 515—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 516—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 292—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

Also: Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Also: Senate Bill No. 353—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, and one thousand three hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

McGOWAN, Chairman.

Senate Bill No. 514 re-referred to Committee on Corporations.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Arms: Senate Bill No. 586—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants to obtain waterworks;,' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889.

Referred to Committee on City, City and County, and Town Governments.

By Senator Fay: Senate Bill No. 587—An Act to provide for the establishment and maintenance of a training ship, for the instruction of boys in nautical matters, by the State of California, and to appropriate the sum of one hundred thousand dollars therefor.

Referred to Committee on Finance.

By Senator Seymour: Senate Bill No. 588—An Act to amend section three thousand six hundred and sixty-three of the Political Code of the State of California, relating to assessments.

Referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 589—An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, said new sections to be known, numbered, and designated as sections two thousand six hundred and ninety-six, two thousand six hundred and ninety-seven, two thousand six hundred and ninety-eight, two thousand six hundred and ninety-nine, two thousand seven hundred, two thousand seven hundred and one, two thousand seven hundred and two, and two thousand seven hundred and three, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads.

Referred to Committee on Roads and Highways.

By Senator Harp (by request): Senate Bill No. 590—An Act to create the county of Santa Rita, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Referred to Committee on Counties and County Boundaries.

By Senator Ford (by request): Senate Bill No. 591—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Referred to Committee on Judiciary.

By Senator Ostrom: Senate Bill No. 592—An Act to prevent the spread of contagious or infectious diseases among domestic animals.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Langford: Senate Bill No. 593—An Act to provide for the compensation of the Chief and Captain of Police, and police officers, in cities in the State of California containing not less than ten thousand and not exceeding thirty thousand inhabitants.

Referred to Committee on City, County and Town Governments.

Also: Senate Bill No. 594—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Referred to Committee on Finance.

By Senator Hart: Senate Bill No. 595—An Act to provide for the purchase of a furnished residence for the Governor of California, and stable premises for use in connection with the same, and to appropriate money therefor.

Referred to Committee on Finance.

By Senator Biggy: Senate Bill No. 596—An Act to amend the Code of Civil Procedure by adding thereto three new sections, to be numbered sections one thousand one hundred and twenty-eight, one thousand one hundred and twenty-nine, and one thousand one hundred and thirty, relating to the contesting of elections by a judicial recount of the ballots cast.

Referred to Committee on Elections.

By Senator McGowan: Senate Bill No. 597—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom and the division of the property thereof.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 198—An Act to create the county of Madera—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

DENISON, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Voorheis:

Resolved, That the Secretary of the Senate have printed one hundred copies of joint rules as adopted by both the Senate and Assembly.

Adopted.

MOTION.

Senator Simpson moved that the remainder of the morning be devoted to reading bills on the first reading file.

So ordered.

FIRST READING OF BILLS.

The following bills were read first time and placed on file for second reading:

Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of the Debris Commissioners, and to make an appropriation to be expended under their direction in the discharge of their duties as such Commissioners.

Senate Bill No. 75—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time and placed on file for second reading:

Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Senate Bill No. 64—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

Senate Bill No. 165—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations, and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Senate Bill No. 362—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges.

Senate Bill No. 12—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relating to the duties and compensation of Court reporters, and to add a new section to said Act, to be known as section two hundred and seventy-four and one half, providing for appointment of reporters pro tempore in any action.

MOTION.

On motion of Senator Bailey, Senate Bill No. 4 was re-referred to Committee on Finance.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time and placed on file for second reading:

Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Senate Bill No. 168—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

MOTION.

Senator Gesford, in compliance with the notice given by him on yesterday, whereby the resolution offered by Senator McGowan was adopted, moved a reconsideration of the vote.

Senator Voorheis made a point of order, as follows: The Senate, by a unanimous vote, had already decided that the balance of the morning session should be devoted to the first reading of bills.

The President pro tem. declared the point of order not well taken.

CALL OF THE SENATE.

Senator Maher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

On motion of Senator Maher, further proceedings in connection with a call of the Senate were dispensed with.

Senator Ostrom moved that the motion to reconsider the vote whereby the resolution of Senator McGowan was adopted be continued until Monday next, immediately after the reading of the Journal.

So ordered.

Hon. J. B. Reddick, President of the Senate, in the chair.

FIRST READING OF BILLS—(RESUMED).

The following bills were read first time and placed on file for second reading:

Senate Bill No. 471—An Act to amend section seven hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senate Bill No. 428—An Act to repeal section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women.

Senate Bill No. 429—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Senate Bill No. 430—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Senate Bill No. 431—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-

four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 4, 1872, relating to presentments by a Grand Jury.

Senate Bill No. 167—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the admission of attorneys and counselors at law.

Senate Bill No. 170—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Senate Bill No. 468—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the powers of railroad corporations to borrow money.

Senate Bill No. 469—An Act to amend section eight hundred and fifty-five of the Code of Civil Procedure of the State of California, relating to the filing of answers in Justices' Courts.

Senate Bill No. 472—An Act to add a new section to title eleven, chapter one, of part two of the Penal Code of the State of California, to be designated section one thousand four hundred and sixty-two, and relating to the issuance of writs of execution for the purpose of collecting fines imposed in criminal cases.

Senate Bill No. 399—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California with railroad corporations organized under the laws of any other State or Territory, or both.

Senate Bill No. 400—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Senate Bill No. 109—An Act providing for the punishment of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases.

Senate Bill No. 102—An Act to amend an Act entitled "An Act to establish a Political Code," adopted February 14, 1872, by adding a new section thereto, to be numbered section five hundred and ninety-three, relating to the destruction of trees growing upon highways.

Senate Bill No. 59—An Act to amend section two hundred and sixty-seven of the Penal Code of the State of California, relating to crime of abduction.

Senate Bill No. 433—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-1893.

Substitute for Senate Bill No. 33—An Act to provide for organizing and maintaining paid fire departments within cities and towns, or cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively.

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresen-

tations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Senate Bill No. 407—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Senate Bill No. 44—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violation of the fish laws.

Senate Bill No. 43—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws.

Senate Bill No. 27—An Act to amend section one thousand four hundred and twenty-six of the Political Code, relating to the appointment of members of Board of Regents of the University of California.

Senate Bill No. 377—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seats by an election; to declare the manner of providing officers, and to determine the portion of the old county debt to be chargeable to such new county.

Senate Bill No. 128—An Act authorizing the incurring of indebtedness and issuance of bonds by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, buildings, breakwaters, seawalls, embankments, and all necessary public improvements, or for the purchase of land, or for any purpose whatever, and to repeal all portions of Acts in conflict therewith; providing, that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced.

Senate Bill No. 238—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller, and payments into the State Treasury.

Senate Bill No. 197—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Senate Bill No. 256—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Senate Bill No. 257—An Act to amend section three thousand seven hundred and sixty-two of the Political Code, relating to the duties of County Auditors.

Senate Bill No. 225—An Act to amend sections four hundred and ninety-eight and five hundred and two of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to street railroad corporations.

Senate Bill No. 453—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to street railroad corporations.

Senate Bill No. 467—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," as approved March 13, 1883, and amended March 19, 1889.

Senate Bill No. 426—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Senate Bill No. 427—An Act requiring persons or corporations owning, controlling, or operating lines of street railways in cities, and cities and counties, of this State, having a population of over one hundred thousand inhabitants, to pay into the treasuries of such cities, and cities and counties, nine per centum of their gross receipts, for the improvement of parks and public squares.

Senate Bill No. 77—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Senate Bill No. 368—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

Senate Bill No. 131—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

MOTIONS.

Senator Voorheis moved that the hour of recess be extended until after the first reading file is finished, and that the Senate thereupon adjourn.

Senator Maher moved as an amendment that the first reading file be made the special order immediately after recess, and when first reading file is finished the Senate adjourn.

Senator Voorheis accepted the amendment.

The motion was thereupon carried.

Senator Ford moved to suspend the rules so as to allow him to introduce a bill.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Denison, Everett, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Ford: Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a Bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and contro

of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

Referred to Committee on Mines, Drainage, and Mining Debris.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 271—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Read first time, and placed on file for second reading.

LEAVE OF ABSENCE.

Senator Everett was granted a leave of absence for the balance of the day.

RECESS.

At twelve o'clock M. the President declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Flint, Goucher, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Voorheis was granted a leave of absence for the day, on motion of Senator Denison.

Senator Gesford was granted a leave of absence for the day, on motion of Senator Burke.

Senator Biggy was granted a leave of absence for the day.

Minute Clerk R. G. Falk was granted a leave of absence for Monday next.

SPECIAL ORDER—FIRST READING OF BILLS.

The following bills were read first time and placed on file for second reading:

Senate Bill No. 322—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Senate Bill No. 321—An Act to attach a part of the territory comprising the county of San Diego to the county of San Bernardino.

Substitute for Senate Bills Nos. 46, 88, 305, and 406—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Senate Bill No. 261—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Senate Bill No. 67—An Act to amend "An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire," approved March 10, 1891.

Senate Bill No. 348—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Substitute for Senate Bills Nos. 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Senate Bill No. 164—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 17, 1887, providing for the disorganization of irrigation districts.

Senate Bill No. 459—An Act to amend section one thousand four hundred and one, and to repeal section one thousand four hundred and two of the Civil Code of the State of California, relating to community property.

Senate Bill No. 91—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California.

Senate Bill No. 248—An Act to amend section seven hundred and ninety-two of the Political Code of the State of California, relating to Notaries Public.

Senate Bill No. 325—An Act to add a new section, to be known as section eight hundred and two of the Political Code, in regard to powers and duties of Notaries Public.

Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

Senate Bill No. 190—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Senate Bill No. 293—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Senate Bill No. 189—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Senate Bill No. 129—An Act to amend an Act entitled "An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven, title sixteen, of part four, division one, of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations," approved March 31, 1891.

Senate Bill No. 454—An Act creating a Board of Commissioners of Loan Associations, and prescribing their duties and powers.

Senate Bill No. 137—An Act to establish Board of Parole Commissioners for the parole of and government of paroled prisoners.

Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

Assembly Joint Resolution No. 9—Relative to foreign immigration to the United States.

Assembly Joint Resolutions Nos. 7 and 9 passed on file, to retain their place.

Senate Bill No. 508—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Senate Bill No. 264—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Senate Bill No. 69—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Senate Bill No. 524—An Act entitled an Act concerning municipal corporations.

Senate Bill No. 181—An Act to provide for the organization, incorporation, and government of towns.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 6—An Act to appropriate money for the erection of a State Hospital for Lepers.

RAGSDALE, Chairman.

FIRST READING OF BILLS—(RESUMED).

Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation and to define the duties of such Inspectors.

Senate Bill No. 482—An Act regulating the location of manufactories for the making of giant powder, gun powder, blasting powder, or any explosive substance, the storage of explosives, and providing a penalty therefor.

Senate Bill No. 162—An Act to encourage fiber culture.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Assembly Bill No. 31—An Act to amend section one hundred and fifty-nine and one half of the Penal Code, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband.

Senate Bill No. 383—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885; and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others. And also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

Senate Bill No. 412—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California.

Senate Bill No. 413—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Senate Bill No. 414—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Senate Bill No. 415—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Senate Bill No. 416—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.

ADJOURNMENT.

At two o'clock p. m., on motion of Senator Mahoney, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, February 6, 1893.

The Senate met pursuant to adjournment, at two o'clock p. m.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gestford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

APPROVAL OF JOURNAL.

The Journal of Saturday, February 4, 1893, was then approved.

MOTION.

On motion of Senator Langford, the special orders set for consideration immediately after the reading of the Journal this day, were postponed until messages from the Governor were taken up.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 6, 1893. }

To the Senate of the State of California:

I hereby nominate M. R. Higgins, of the county of Sacramento, to the office of Insurance Commissioner, to succeed John N. E. Wilson, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of M. R. Higgins, of the county of Sacramento, to the office of Insurance Commissioner, to succeed John N. E. Wilson.

Upon the question, "Will the Senate advise and consent to the appointment of M. R. Higgins as Insurance Commissioner?" by direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Hart, Hoyt, Laingford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—37.
NOES—None.

Whereupon, the President announced the appointment of M. R. Higgins as Insurance Commissioner duly confirmed.

SPECIAL ORDERS.

Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners.

On motion of Senator Gesford, Assembly Concurrent Resolution No. 7 was reset as a special order for consideration for Friday next at two o'clock P. M.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Read third time.

Senator McGowan moved that Senate Bill No. 166 be referred to a special committee of one, consisting of Senator Ostrom, to amend as follows:

Strike out of section seventeen the following: "But companies organized under this Act shall be exempt from any tax or the payment of any license fee."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 166, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

OSTROM, Committee.

Report of special committee adopted.

Senate Bill No. 166 ordered printed as amended, reëngrossed and on file for final passage.

COMMUNICATION.

The following communication was read and referred to Committee on Judiciary, on motion of Senator Mahoney:

Hon. J. B. REDDICK, President, and members of Senate, Sacramento, California:

GENTLEMEN: I beg leave to call your attention to the following section of our Constitution:

"Article XX, Section 16. When the term of any officer or Commissioner is not provided for in this Constitution the term of such officer or Commissioner may be declared by law, and if not so declared, such officer or Commissioner shall hold his position as such officer or Commissioner during the pleasure of the authority making the appointment, but in no case shall such term exceed four years."

I respectfully submit that the authority which constituted the San Francisco Police Commission having been abolished by the going into effect of the new Constitution,

there is no warrant in law for the continuance of said Commission, which has been in office now fifteen years, in contempt of the Governor and the people of the commonwealth, and that it is within the province of the Legislature to fix their term of office.

I expect you will give this your prompt attention.

Yours respectfully,

P. B. GALLAGHER,

411-415 Battery Street, San Francisco, California.

SPECIAL ORDERS.

Senate Bill No. 116—An Act to amend an Act entitled “An Act to establish a Civil Code,” approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

On motion of Senator Ragsdale, Senate Bill No. 116 was passed, and made the special order for Thursday next at two o'clock p. m.

Reconsideration of the vote whereby the resolution offered by Senator McGowan on Friday, February 3, 1893, relating to Assembly Concurrent Resolution No. 7, was adopted.

Senator Gesford, with unanimous consent of the Senate, withdrew the motion to reconsider the vote whereby the resolution offered by Senator McGowan, relating to Assembly Concurrent Resolution No. 7, was, on Friday last, adopted.

LEAVE OF ABSENCE.

Senator McAllister was granted a leave of absence for the day, on motion of Senator Orr.

THIRD READING OF BILLS.

Senate Bill No. 36 passed on file.

Senate Bill No. 72 passed on file.

Senate Bill No. 18 passed on file, on motion of Senator Carpenter.

Senate Bill No. 277 passed on file.

Senate Bill No. 207 passed on file.

Senate Bill No. 93—An Act to amend sections two and five of “An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto,” approved March 14, 1889.

Read third time, and finally passed by the following vote:

AYES—Messrs. ARDIS, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—38.

NOES—None.

Title read and approved.

Senate Bill No. 125 passed on file, on motion of Senator Seymour.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, 140—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled “An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors,” approved

April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

Read third time.

Senator Gesford moved that the Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140 be recommitted to Senator Earl as a special committee of one, with instructions to amend as follows:

Strike out lines five, six, and seven, page four, printed bill, and insert in lieu thereof: "First—Upon the application of creditors representing more than fifty per cent of the insolvent's indebtedness, duly verified by one of said creditors, where it is shown by the facts disclosed that the Sheriff, as custodian of the property of the estate, is unable to properly preserve the assets, and that it is necessary to institute suit to recover the same."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

EARL, Committee.

Report of special committee adopted.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140 ordered printed as amended, reingrossed, and to retain its place on file for final passage.

Substitute for Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Flint, Gesford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—Mr. Fay—1.

Title read and approved.

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Read third time.

Senator Burke moved that the bill be recommitted to Senator Ostrom, as a special committee of one, to amend as follows:

By inserting after the word "contractor," in line four of section one of said bill, the words "on behalf of the State or such municipal corporation."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 74, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

OSTROM, Committee.

Report of special committee adopted.

Senate Bill No. 74 ordered printed as amended, reingrossed and on file for final passage.

NOTICE.

Senator Carpenter gave notice that he would move an amendment to Senate Bill No. 74, to the effect that the bill shall apply only to laborers who are citizens of the United States.

SECOND READING OF BILLS.

Substitute for Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

At three o'clock and twenty-nine minutes p. m., Senator McGowan moved that the special order, under the rules set from two o'clock until three o'clock and thirty minutes p. m., be continued until the second reading of Substitute for Senate Bill No. 71 be finished.

So ordered.

Substitute for Senate Bill No. 71 read second time and re-referred to Committee on Finance.

PRESENTATION OF PETITIONS.

The following petition was presented by Senator Campbell:

COTTONWOOD, CAL., February 1, 1893.

Hon. R. H. CAMPBELL:

DEAR SIR: We beg to state to you that on this evening a meeting of citizens was held in the Congregational Church, at which seventy-four persons were present. At this meeting the following resolution was adopted by a unanimous vote:

Resolved, That we request our representatives in the Legislature to support the measure now before it, "To provide a day of rest for laborers," Senate Bill No. 72 and Assembly Bill No. 190.

J. E. MCGARREY,
J. A. JONES,
MARION GRIFFIN,
THEO. F. BROADHURST,
A. SCHUMAN,

Committee.

The following petition was presented by Senator Ford, and referred to Committee on Roads and Highways:

To the members of the Senate and Assembly of the State of California:

We, the undersigned, members of the Board of Supervisors of Plumas County, California, most respectfully petition the Legislature of the State of California, now in session, to so amend section two thousand six hundred and forty-five of the Political Code, subdivision five, that the Road Commissioners, in their respective districts, may be allowed as compensation for the services they are required by law to render, wages at the rate of three dollars per day for each day the whole whereof is employed by them in performing their duties as such Road Commissioners, the whole of said wages so allowed not to exceed in any one year the sum of three hundred dollars, and in support of said petition recite the following facts:

First—As Road Commissioners, we must, in case contracts are let, see to it that the roads are kept in good repair. This will necessarily consume much of our time, if said duties are properly performed and the contractors held to strict performance of their contracts.

Second—In the event that no bids are received or accepted, the Road Commissioners must personally manage the roads, direct the men employed, purchase necessary material, and in order to properly perform said duties must be on the roads and with the men employed during the working hours of each day when the roads are being repaired.

Third—That under the present law, Road Commissioners are allowed but twenty cents per mile, in going only, for the performance of said duties. It needs no argument to demonstrate that such compensation is grossly inadequate.

Fourth—Such change in said section will not increase the amount to be received by Road Commissioners, but will only change the mode of computing and measuring the compensation.

Fifth—Under said law, if so amended, Road Commissioners may and will perform labor upon said roads which will benefit the county and save daily the wages of one man, while under the present system Road Commissioners can only earn money when they are traveling over the roads, and will have to keep moving to pay their actual expenses while examining the roads, and cannot, in case no contract is let, be with the men when working on the road, unless at great expense and loss of time to themselves without compensation therefor.

Respectfully,

P. M. CATE,
ANDREW MILLER,
ALEXANDER MCINTOSH,
D. ROBERTSON.

Members of the Board of Supervisors of Plumas County.

SENATE JOINT RESOLUTION.

By Senator Ford (by request): Senate Joint Resolution No. 22—Relative to an amendment of the patent laws of the United States.

Referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Joint Resolution has been correctly engrossed: Senate Joint Resolution No. 20—Relative to fixing salaries of Post Office clerks in first and second class Post Offices.

RAGSDALE, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Also: Senate Bill No. 16—An Act to prohibit prize fighting and pugilistic sport.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 26—An Act to prevent corrupt practices in elections, and to provide for publicity in election expenses.

Also: Senate Bill No. 110—An Act to promote the purity of elections.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 493—An Act relative to the placing and maintaining of messenger call-boxes in houses of ill-fame, or in any house, building, or room occupied or frequented by lewd women—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HART, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 403—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners.

Also: Senate Bill No. 404—An Act to amend section five hundred and twenty-seven of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

STREETER, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 317—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to unauthorized communications with convicts in the State Prisons, and bringing articles into the State Prisons.

Also: Senate Bill No. 334—An Act to provide for the working of certain convicts upon the public roads in the State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SEYMOUR, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Senate Concurrent Resolution No. 3 provides that a committee of six, three from each house, shall constitute a committee to investigate charges of fraud in connection with the construction of some of the buildings at the Home for the Care and Training of Feeble-Minded Children, located at Glen Ellen, Sonoma County, and provides further that the committee be made up as follows: That the Chairmen of the Committees on Public Buildings other than Prison Buildings be members of the committee, and that the Chairmen of said committees appoint two from their respective committees to serve on such committee. In compliance with the provisions of the aforesaid resolution, Senators Seymour and Biggy are hereby named as the two members to complete the committee.

EVERETT, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, having, on February 1st and 2d, instant, visited the Mendocino State Asylum for the Insane, located at Ukiah, and also the Home for the Care and Training of Feeble-Minded Children, located at Glen Ellen, under permission previously granted by the Senate, hereby submit their mileage account, and respectfully ask that the same be allowed, as follows:

Senator W. J. Biggy, 462 miles.....	\$46 20
Senator D. H. Everett, 462 miles.....	46 20
F. R. Tyrrell, Clerk, 462 miles.....	46 20
Total.....	\$138 60

EVERETT, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 255—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 151—An Act to provide for the leasing and disposition of water for mechanical and other purposes, by irrigation districts organized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Also: Senate Bill No. 561—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

SEYMOUR, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of February, passed Senate Joint Resolution No. 18—Relative to break in Feather River.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Joint Resolution No. 18 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of February, passed Senate Joint Resolution No. 15—Relative to the construction of a deep-water harbor at San Pedro, Los Angeles County.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Joint Resolution No. 15 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of February, passed Assembly Concurrent Resolution No. 14—Relative to petitioning and requesting the Supreme Court of the United States to hear and determine the action now before said Court in which the State of California is plaintiff in error, and the San Pablo and Tulare Railroad Company is defendant in error, relative to the taxation of railroads operated in more than one county.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Concurrent Resolution No. 14 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of February, passed Substitute for Assembly Bill No. 144—An Act to prohibit prize fighting.

Also: Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Also: Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Asylum.

Also: Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Also: Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person, to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of February, passed Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 144 referred to Committee on Education and Public Morals.

Assembly Bill No. 142 referred to Committee on Labor and Capital.
Assembly Bill No. 100 referred to Committee on Hospitals.
Assembly Bill No. 71 referred to Committee on Hospitals.
Assembly Bill No. 84 referred to Committee on Judiciary.
Assembly Bill No. 45 referred to San Francisco Delegation.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 599—An Act providing for primary elections in this State.

Referred to Committee on Elections.

Also: Senate Bill No. 600—An Act to amend section seven hundred and ninety-one of the Political Code of the State of California, relating to the appointment and number of Notaries Public in the several counties of said State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Referred to Committee on Finance.

Also: Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

Referred to Committee on Finance.

By Senator Burke: Senate Bill No. 604—An Act to amend section three hundred and thirty-three of the Political Code, relating to the printing of public reports.

Referred to Committee on Public Printing.

Also (by request): Senate Bill No. 605—An Act to amend section one hundred and seventy-six of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Referred to Committee on County Government and Township Organization.

By Senator Seawell: Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Referred to Committee on Finance.

By Senator Arms: Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation, and prescribing the duties of such assistants.

Referred to San Francisco Delegation.

By Senator Gesford: Senate Bill No. 608—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of

taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution," approved March 2, 1891.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 609—An Act to amend section three thousand and forty-six of the Civil Code of the State of California.

Referred to Committee on Judiciary.

By Senator Goucher: Senate Bill No. 610—An Act regulating the practice of architecture in the State of California.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Seymour: Senate Bill No. 611—An Act amendatory of an Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Referred to Committee on Public and Swamp and Overflowed Lands.

Also: Senate Bill No. 612—An Act to amend sections four hundred and sixteen, two thousand two hundred and ninety-two, two thousand two hundred and ninety-three, two thousand three hundred, and two thousand three hundred and four of the Political Code of this State, relating to the State Library, and the funds for maintaining the same.

Referred to Committee on State Library and Rules.

By Senator Orr: Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Referred to Committee on Judiciary.

By Senator Hart (by request): Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Referred to Committee on Finance.

Also (by request): Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 616—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-nine, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand eight hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six

hundred and thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand five hundred and three of the Political Code; to add thereto four new sections, to be known and numbered as sections one thousand six hundred and three, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 617—An Act to pay the claim of Michael Denzer against the State of California, and making appropriation therefor.

Referred to Committee on Finance.

By Senator Earl: Senate Bill No. 618—An Act entitled an Act to enable railroad companies to complete their railroads.

Referred to Committee on Corporations.

Also: Senate Bill No. 619—An Act entitled an Act to amend section one thousand five hundred and seventy-seven of the Political Code, part three, title three, article five thereof, relating to new school districts.

Referred to Committee on Education and Public Morals.

By Senator Streeter: Senate Bill No. 620—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 621—An Act to amend sections six and eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.' "

Referred to Committee on City, City and County, and Town Governments.

Senator Earl, for the Committee on Constitutional Amendments, requested permission to use the Senate Chamber this evening.

Permission granted.

MOTIONS.

On motion of Senator Streeter, Senate Bill No. 131 was made a special order for eleven o'clock A. M. to-morrow.

At four o'clock and five minutes P. M., Senator Voorheis moved that the Senate adjourn.

Motion to adjourn lost.

On motion of Senator Carpenter, the Senate proceeded to consider Assembly messages.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of February, passed and ordered immediately transmitted to the Senate Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for the Supreme Court, in the city of Los Angeles.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 312 referred to Committee on Finance.

APPOINTMENT OF SPECIAL COMMITTEE.

The President, in compliance with the resolution of Senator McGowan adopted last Friday, appointed as a committee of seven to hear testimony regarding the official actions of the Board of Railroad Commissioners, Senators McGowan, Goucher, Earl, Ostrom, Mahoney, Seawell, and Seymour.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 306 passed on file.

Senate Bill No. 76 passed on file.

Senate Bill No. 160—An Act making an appropriation to pay the claim of the "California Spirit of the Times" for advertising the election proclamation in the forty-second fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read second time, and ordered to engrossment and to a third reading.

LEAVE OF ABSENCE.

At four o'clock and ten minutes P. M. the Committee on Counties and County Boundaries was granted leave of absence for the remainder of the afternoon.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Read second time, and ordered to engrossment and to a third reading.

ADJOURNMENT.

At four o'clock and twelve minutes P. M., on motion of Senator Broderick, the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

Tuesday, February 7, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

PRESENTATION OF PETITIONS.

The following petition was presented by Senator Seawell, and referred to Committee on State Prisons and Prison Buildings:

To the Legislature of the State of California:

We, the undersigned, hop growers of Mendocino County, do most respectfully urge the passage of Senate Bill No. 175, introduced by Mr. Williams.

The measure is one of great importance to us as hop growers.

The cost of twine has been heretofore so great as to be the principal obstacle in the production of hops in this State. We believe the prices we have been compelled to pay have been about double the cost of production. The same thing may be said of all other articles to be manufactured at the establishment proposed to be erected.

The location proposed is very eligible, the power abundant and cheap, and we believe cordage of all kinds can be manufactured there at less expense than any other place in the State. Again, it will open up an industry to the farmers of the State, who will go into the business of producing jute, flax, hemp, and other raw material to be manufactured there.

Wherefore, we earnestly urge the passage of the bill.

This granted and we will ever pray.

Signed by R. McGarvey and twenty-one others.

The following petition was presented by Senator Ostrom, and referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture:

To the honorable the Senate and Assembly of the State of California:

The undersigned, citizens of your State, believing that in the matter of succession to community property, on the death of either husband or wife, both spouses should have the same rights, respectfully petition your honorable bodies that an Act be passed substantially as follows:

An Act to amend the Civil Code in relation to community property, and to the succession thereto in case of the death of either spouse.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one thousand four hundred and one of the Civil Code is hereby amended to read as follows:

Section 1401. Upon the death of the husband or wife the entire community property, without administration, belongs to the survivor.

SEC. 2. Section one thousand four hundred and two of the Civil Code is hereby repealed.

Signed by R. R. Stevenson, and one hundred and forty-nine others.

REPORTS OF STANDING COMMITTEES.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SIMPSON, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 357—An Act to create the county of Bidwell—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 449—An Act to create the county of Santa Rita—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, as one of the counties from which territory is to be taken would not have the population required by the Constitution.

Also: Senate Bill No. 437—An Act to provide for the adjustment of the indebtedness and assets between any county that has been created or may hereafter be created—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

Also: Senate Bill No. 571—An Act entitled an Act in relation to fence and pound district in the county of Sonoma—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on County Government and Township Organization.

DENISON, Chairman.

Senate Bill No. 437 re-referred to Committee on Judiciary.

Senate Bill No. 571 re-referred to Committee on County Government and Township Organization.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Assembly Joint Resolution No. 11 Relative to a public building at Eureka—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 260—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Also: Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

EVERETT, Chairman.

Senate Bill No. 260 re-referred to Committee on Finance.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 310—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, and that if the claim is ever presented again the author should be arrested for a misdemeanor.

Also: Senate Bill No. 432—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Also: Senate Bill No. 532—An Act entitled an Act to appropriate money to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CAMPBELL, Chairman.

Senate Bills Nos. 310, 432, and 532 re-referred to Committee on Finance.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employe at the time of making payment, and in

case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Also: Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Also: Senate Bill No. 558—An Act to prevent undue reduction of wages by contractors for public work.

Also: Senate Bill No. 483—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 1, 1872, by adding a new section thereto, to be known as section six hundred and ninety and one half, for the purpose of defining and enforcing section six hundred and ninety of said Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MAHER, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 21—Relative to Yosemite National Park.

Also: Assembly Joint Resolution No. 19—Relative to certain railroads in the United States being indebted to the United States.

Also: Assembly Joint Resolution No. 14—Relative to laying a telegraph cable line from Northwest Seal Rock, in Del Norte County, California, to Trinidad, Humboldt County.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

WILLIAMS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Also: Senate Bill No. 303—An Act to authorize the Assessors of counties, and cities and counties, having over two hundred and fifty thousand inhabitants, to appoint deputies, and to fix their salaries and compensation.

Also: Senate Bill No. 145—An Act to amend section six hundred and ninety-two of an Act entitled "An Act to establish the Code of Civil Procedure of California," approved January 1, 1873.

Also: Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 169—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law.

Also: Senate Bill No. 23—An Act to amend sections two hundred and seventy-six and two hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law.

Also: Senate Bill No. 39—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," relating to the husband's control and disposition of the community property.

Also: Senate Bill No. 142—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Also: Senate Bill No. 153—An Act to amend an Act entitled "An Act to establish a Political Code," by amending section six hundred and eighty thereof.

Also: Senate Bill No. 176—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine of the Civil Code of the State of California, and to enact two new sections of said Civil Code, numbered, respectively, one thousand one hundred and eighty-six and one thousand one hundred and ninety-one, relating to the acknowledgment of conveyances by married women.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 31—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section forty-nine of said Act.

Also: Senate Bill No. 95 -An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of Los Angeles, State of California, and for the appointment of such additional Judges," approved March 11, 1889, and to reduce the number of Judges of said county from six to four.

Also: Senate Bill No. 155 -An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Also: Senate Bill No. 556 -An Act to amend section three thousand and five of the Political Code, relating to the appointment of a Board of Health for the City and County of San Francisco.

Also: Senate Bill No. 503 -An Act to amend sections thirty-seven and one hundred and ninety of the Penal Code of the State of California, relating to the punishment of crimes.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 41 -An Act to amend sections three thousand six hundred and thirty-six, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, and three thousand seven hundred and eighty-five of the revenue laws of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County Government and Township Organization.

Also: Senate Bill No. 124—An Act to amend section six hundred and eighty of the Political Code, in relation to the investment of school funds, and validating bonds purchased therewith—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Education and Public Morals.

Also: Senate Bill No. 422—An Act relating to the publication of legal notices—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the San Francisco Delegation.

McGOWAN, Chairman.

Senate Bills Nos. 369 and 506 re-referred to Committee on Finance.

Senate Bill No. 41 re-referred to Committee on County Government and Township Organization.

Senate Bill No. 124 re-referred to Committee on Education and Public Morals.

Senate Bill No. 422 re-referred to San Francisco Delegation.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 4, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Miss D. McKimmon be and she is hereby appointed Assistant Enrolling Clerk of the Senate, at a per diem the same as that paid to the Enrolling Clerk, the same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The question being on the adoption of the resolution, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Campbell, Denison, Earl, Everett, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Seymour, Simpson, Streeter, Williams, and Wilson—24.

NOES—Messrs. Berry, Burke, Langford, Martin, and Ostrom—5.

MOTION.

Senator Hart moved that the Senate proceed to consider the following resolution, reported back by the Committee on Attachés, Contingent Expenses, and Mileage without recommendation.

So ordered.

RESOLUTION.

Resolved, That Mrs. Sadie L. Cooper be and she is hereby appointed Assistant Enrolling Clerk of the Senate, at a per diem the same as that paid to the Enrolling Clerk, the same to be paid out of the Contingent Fund of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Seawell, Seymour, Simpson, Williams, and Wilson—30.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 509—An Act to establish what shall constitute lawful fences within the State of California.

Also: Senate Bill No. 511—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 484—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of incumbered live stock—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Judiciary Committee.

SHIPPEE, Chairman.

Senate Bill No. 484 re-referred to Committee on Judiciary.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of February, passed Senate Joint Resolution No. 20—Relative to fixing salaries of Post Office clerks in first and second class Post Offices.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Joint Resolution No. 20 ordered to enrollment.

LEAVE OF ABSENCE.

Senator Carpenter was granted leave of absence for the day, on motion of Senator McGowan.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Everett: Senate Bill No. 622—An Act relative to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold.

Referred to Committee on Education and Public Morals.

By Senator Mathews: Senate Bill No. 623—An Act making an appropriation to pay the deficiency in the appropriation for the State

Board of Forestry, for the wages of station employés at Chico and Santa Monica.

Referred to Committee on Finance.

By Senator Langford: Senate Bill No. 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Mitchell: Senate Bill No. 625—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Referred to Committee on Mines, Drainage, and Mining Debris.

By Senator Maher: Senate Bill No. 626—An Act to amend section two hundred of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to exemption from jury duty.

Referred to Committee on Judiciary.

By Senator Hoyt: Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Referred to Committee on Judiciary.

By Senator Ford: Senate Bill No. 628—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reëntry upon real property.

Referred to Committee on Judiciary.

By Senator McGowan (by request): Senate Bill No. 629—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Referred to Committee on Judiciary.

By Senator Hart (by request): Senate Bill No. 630—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Referred to Committee on Judiciary.

Also: Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Referred to Committee on Judiciary.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Maher: Senate Constitutional Amendment No. 16—An Act providing to have submitted to the people an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

Referred to Committee on Constitutional Amendments.

SPECIAL FILE.

Senate Bill No. 120 passed on file.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 166 passed on file.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140 passed on file.

Senate Bill No. 74 passed on file.

Senate Bill No. 36 passed on file.

Senate Bill No. 72 passed on file.

Senate Bill No. 18 passed on file.

Senate Bill No. 277 passed on file.

Senate Bill No. 207 passed on file.

Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Denison, Flint, Ford, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, and Whitehurst—20.

NOES—Messrs. Earl, Fay, and Orr—3.

Title read and approved.

SECOND READING OF BILL.

Substitute for Senate Bill No. 71 passed on file.

SPECIAL ORDER—SECOND READING OF BILL.

Substitute for Senate Bill No. 131—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Read second time.

Senator Seymour submitted the following amendment:

Amend by striking out of section fifteen, line two, the words "thirty-ninth" and inserting the following: "fortieth."

Amendment lost.

Bill ordered to engrossment and on file for third reading.

FIRST READING OF BILL.

Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

On motion of Senator Goucher, Senate Bill No. 198 was taken up out of order, read the first time, and its further consideration made a special order for Wednesday, February 8, 1893, at eleven o'clock A. M.

MOTION.

On motion of Senator Streeter, the further consideration of Senate Bill No. 131 was made a special order for Thursday, February 9, 1893, at eleven o'clock A. M.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read second time.

The following committee amendments were adopted:

Amend section one, line eleven, printed bill, by inserting after the word "furnish" the word "satisfactory."

Amend section one, line twelve, printed bill, by inserting after the word "practitioners" the words "in this State immediately."

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 213—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employes for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 313—An Act to provide a depository for the county funds.

Sections one and two read second time.

Senator Ragsdale offered the following amendment:

Amend by striking out of section two, line five, the word "three," and inserting the following: "two."

Adopted.

Sections three and four read second time.

Senator Burke offered the following amendment:

Strike out all that part of section four of the bill after the word "than," on line three thereof, up to and including the word "year," on line four thereof, and insert in lieu thereof the words "two hundred and fifty thousand dollars;" also, insert the words "in the aggregate" after word "owning," on line five of said section.

Adopted.

Sections five, six, and seven read second time.

RECESS.

The hour of twelve o'clock having arrived, a recess was declared until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawel, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

MOTION.

On motion of Senator Streeter, the special order set for Thursday, February 9, 1893, at eleven o'clock A. M. (consideration of Senate Bill No. 131), was reset and made a special order for Wednesday, February 8, 1893, at one o'clock and thirty minutes P. M.

SECOND READING OF BILLS.

Consideration of Senate Bill No. 313 resumed.

Mr. Burke offered the following amendments:

Insert in section seven, after the word county, on line four thereof, the words following: "Except that he shall retain in his custody a sufficient sum to pay all current bills and expenses of his office, which he shall pay out of such funds so retained by him."

Strike out the word "daily" in line five of section seven of said bill, and insert in lieu thereof the word "weekly."

Adopted.

Sections eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, and seventeen read second time.

Bill as amended ordered to print, engrossment, and on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FORESTRY, YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 355—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FLINT, Chairman.

Senate Bill No. 355 re-referred to Committee on Finance.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees,

and to provide the manner of their election, in cities of less than one hundred thousand population.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Read second time, and re-referred to Committee on Finance.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Also: Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California.

Also: Senate Bill No. 72—An Act to provide for a day of rest from labor.

Also: Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

RAGSDALE, Chairman.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file, on motion of Senator Maher.

Senate Bill No. 21—An Act to create the office of Commissioner of Horticultural Statistics, and appropriate money for his salary and expenses.

Passed on file, on motion of Senator Berry.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Senator Mitchell moved to amend as follows:

By striking out of section nine, line five, the word "two," and insert in lieu thereof the word "three."

Amendment adopted.

Bill read second time, ordered to print, reëngrossment, and on file for third reading.

Senate Bill No. 107—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Passed on file.

Senate Bill No. 133—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

The following committee amendment was lost:

Strike out after the word "preceding," in line nine of printed bill, all language down to the word "provided," in line twelve.

Bill read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases pending an appeal to the Supreme Court.

Passed on file.

Senate Bill No. 112—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Senator Ragsdale offered the following Substitute for Senate Bill No. 112, and asked that it be read first time.

So ordered.

SUBSTITUTE FOR SENATE BILL No. 112.

An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one thousand two hundred and seven of the Civil Code is hereby amended so as to read as follows:

Section 1207. Any instrument affecting real property, which was, previous to the thirtieth day of January, one thousand eight hundred and seventy-three, copied into the proper book of record kept in the office of any County Recorder, shall be deemed to have imparted, from and after July first, one thousand eight hundred and seventy-four, and to impart, notice of its contents to subsequent purchasers and incumbrancers, notwithstanding any defect, omission, or informality in the execution of the instrument, or in the certificate of acknowledgment thereof, or the absence of any such certificate; but nothing herein shall be deemed to affect the rights of purchasers or incumbrancers previous to July first, one thousand eight hundred and seventy-four. Any instrument affecting real property, which was, subsequent to the thirtieth day of January, one thousand eight hundred and seventy-three, and prior to the date of the passage of this Act, copied into the proper book of record kept in the office of any County Recorder, shall be deemed to impart, after the date of the passage of this Act, notice of its contents to subsequent purchasers and incumbrancers, notwithstanding any defect, omission, or informality in the execution of the instrument, or in the certificate of acknowledgment thereof, or the absence of any such certificate; but nothing herein shall be deemed to affect vested or existing rights which shall have accrued or vested before the passage of this Act. Duly certified copies of the record of any such instrument may be read in evidence, with like effect as copies of an instrument duly acknowledged and recorded.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Substitute for Senate Bill No. 112 read first time, ordered printed and on file for second reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senate Bill No. 262—An Act to amend section one hundred and ninety-four of the Code of Civil Procedure of the State of California, relating to jurors.

Senator Whitehurst asked unanimous consent to withdraw Senate Bill No. 262 and to substitute therefor on the file Senate Bill No. 220.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read second time.

Senator Ford moved to amend as follows:

By striking out of section two, line thirty-eight, the word "State," and inserting the following in lieu thereof: the word "estate."

Amendment adopted.

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 278—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Read second time.

The following committee amendments were adopted:

Amend by striking out of section four hundred and ten, line five, printed bill, the words commencing with "unless" and down to and including the word "complaint," on line nineteen, page two of printed bill.

Amend by striking out the figure "3" on line twenty, page two of printed bill, and all of section two.

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 51—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Read second time.

The following committee amendment was adopted:

Amend by adding after the word "therefor," on line fourteen of printed bill, the following words: "And on the payment of any such judgment, such part of the tax recovered thereby as may have been paid by the County Treasurer into the State Treasury shall be regarded as an amount due the county from the State, and shall be deducted in the next settlement had by the county with the Controller, such deduction to be made in the manner that other deductions are made, as provided in section three thousand eight hundred and seventy-one of the Political Code of this State."

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 184—An Act to amend an Act entitled "An Act to amend sections ten and one hundred and thirty-four of an Act entitled

'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to legal holidays and non-judicial days," approved March 1, 1889.

Read second time.

The following committee amendment was adopted:

Amend by striking out the title of the Act, and inserting instead the following:
"An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days."

Senator Goucher offered the following amendment:

Amend by inserting in section two, line twelve, after the words "Supreme Court," the words, "and the Superior Courts."

Adopted.

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 215—An Act to amend an Act entitled "An Act to amend section seven of the Civil Code, relating to holidays," approved March 1, 1889.

Read second time.

The following committee amendment was adopted:

Amend by striking out the title of the Act, and inserting instead the following:
"An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days."

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 217—An Act to amend an Act entitled "An Act to amend section ten of the Political Code, relating to legal holidays," approved March 1, 1889.

Read second time.

The following committee amendment was adopted:

Amend by striking out the title of the Act, and inserting instead the following:
"An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days."

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 347—An Act to establish a tax on collateral inheritances, to provide for its levy and collection, and to create therewith a fund for the maintenance of kindergartens.

Passed on file, on motion of Senator McAllister.

Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

The following committee substitute was read the second time:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 359.

An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The fees of County Clerks of the several counties in the State of California, in estates of deceased persons, and of incompetent persons, and estates of minors, shall be as follows: Where the estate does not exceed two thousand dollars in value, no fees shall be charged; where the estate exceeds two thousand dollars and does not exceed five thousand dollars in value, the fees shall be ten dollars; where the estate

exceeds five thousand dollars and does not exceed ten thousand dollars in value, the fees shall be twenty-five dollars; where the estate exceeds ten thousand dollars in value and does not exceed fifty thousand dollars, the fees shall be thirty dollars; where the estate exceeds fifty thousand dollars in value and does not exceed one hundred and fifty thousand dollars in value, the fees shall be seventy-five dollars; where the estate exceeds one hundred and fifty thousand dollars, the fees shall be one hundred and fifty dollars.

SEC. 2. The value of such estate, as named in the verified inventory filed therein, shall be the basis upon which to charge such fees; and the Clerk may in all cases demand a deposit in the sum of twenty dollars in advance. If upon the return and filing of said inventory it shall appear that said deposit made in the sum of twenty dollars is in excess of the fees herein provided for, the party who made the deposit shall be entitled to receive the excess.

SEC. 3. No other or further fees shall be required than those prescribed in section one of this Act, and all fees so collected shall be monthly paid over to the County Treasurer of the county where they are collected for the benefit of such county.

Senator Orr offered the following amendment:

Amend by striking out of section one, lines ten and eleven of printed bill, the words "where the estate exceeds one hundred and fifty thousand dollars the fees shall be one hundred and fifty dollars," and insert in lieu thereof the following:

"All estates over one hundred and fifty thousand dollars, one dollar for each thousand dollars in excess of said one hundred and fifty thousand dollars."

Adopted.

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Passed on file.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Passed on file.

Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 105—An Act to prevent the use of fraudulent marks on merchandise.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Read second time.

Senator Orr moved to amend as follows:

By striking out of section one, line ten, the words in lines ten and eleven, "or any other person employed in any capacity in any public office."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs: Arms, Bailey, Broderick, Burke, Campbell, Denison, Gesford, Goucher, Harp, McAllister, Maher, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, and Williams—19.

NOES—Messrs. Berry, Biggy, Dunn, Earl, Fay, Ford, Hoyt, Langford, McGowan, Martin, Mathews, Ostrom, Whitehurst, and Wilson—14.

Bill as amended ordered to print, engrossment, and on file for third reading.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Gesford: Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Referred to Committee on Judiciary.

Also: Senate Bill No. 633—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Referred to Committee on Judiciary.

By Senator Orr: Senate Bill No. 634—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture Anastacio Garcia, in 1855.

Referred to Committee on Finance.

MOTION.

Senator Denison moved to take up Assembly messages.
So ordered.

MESSAGE FROM THE ASSEMBLY.

The following message (out of order) from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of February, passed and ordered immediately transmitted to the Senate Senate Bill No. 24—An Act to provide one additional Judge of the Superior Court of Alameda County, as amended.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senator Earl moved that the Senate concur in the amendments of the Assembly to Senate Bill No. 24.

Whereupon, the following amendments were read, and the Senate, by vote, concurred therein:

Amend by striking out of the title the word "two," and by inserting in lieu thereof the word "one;" also, by striking out the letter "s" in the word "Judges" in the title; also, in section one, by striking out the word "two" in line two, and inserting in lieu thereof the word "one;" also, by striking out the letter "s" in the word "Judges" in said line two; also, by striking out the word "two" on line four, and inserting in lieu thereof the word "one;" also, by striking out the letter "s" in the word "Judges" in line four; also, by striking out the word "two" on line one of section two, and inserting in lieu thereof the word "one;" also, by striking out the letter "s" in the word "Judges" on said line one of section two.

Senate Bill No. 24, as amended, ordered to enrollment.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 131—An Act to create the county of Riverside, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of the county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Also: Senate Bill No. 160—An Act making an appropriation to pay the claim of the "California Spirit of the Times" for advertising the election proclamation in the forty-second fiscal year.

Also: Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

Also: Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following has been correctly enrolled: Senate Concurrent Resolution No. 2—Relative to approval of the charter of the city of Sacramento, State of California.

RAGSDALE, Chairman.

Senator Earl, for the Committee on Constitutional Amendments, requested permission to use the Senate Chamber this evening.

Permission granted.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 79—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Passed on file, to retain its place, on motion of Senator Mahoney.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Read second time, and ordered to engrossment and to a third reading.

MOTION.

Senator McGowan moved to take up messages from the Governor.
So ordered.

MESSAGES FROM THE GOVERNOR—(OUT OF ORDER).

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate J. B. Brown, of Humboldt County, to the office of Brigadier-General of the Sixth Brigade of the National Guard of California, to succeed John W. Freese, deceased, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Charles P. Eells, of the county of San Francisco, to the office of Trustee of the California Home for the Care and Training of Feeble-Minded Children, to succeed Mrs. Katharine B. Lathrop, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Mark B. Ivory, of the county of Contra Costa, to the office of State Prison Director, to succeed Charles Sonntag, whose term expires January, 1894, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Chester A. Rowell, of the county of Fresno, to the office of Regent of the State University, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Charles W. Slack, of the county of San Francisco, to the office of Regent of the State University, to succeed Horatio Stebbins, whose term expires March 1, 1894, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Dan T. Cole, of the county of Sierra, to the office of State Harbor Commissioner, to succeed C. O. Alexander, whose term expires March 12, 1893, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Arthur Thornton, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate J. D. McDougal, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed H. T. Dorrance, term expired, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate H. O. Southworth, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed R. S. Johnson, term expired, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate C. W. Nutting, of the county of Siskiyou, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate P. C. Remondino, of the county of San Diego, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate W. G. Cochran, of Los Angeles County, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate J. R. Laine, of the county of Sacramento, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate W. R. Cluness, of the county of San Francisco, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate W. F. Wiard, of the county of Sacramento, to the office of Member of the State Board of Health, to succeed Julius Rosenstein, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate C. A. Ruggles, of San Joaquin County, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask that you consent to the same.

H. H. MARKHAM, Governor.

Senator McGowan moved that the Senate do now consent and advise to the appointment of J. B. Brown, of Humboldt County, to the office of Brigadier-General of the Sixth Brigade of the National Guard of California, to succeed John W. Freese, deceased.

Senator Arms moved, as an amendment, that the further consideration of the Governor's appointments be made a special order for to-morrow, immediately after recess.

Amendment adopted, and motion as amended then carried.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved, That the Chairman of the special committee appointed to investigate the charges preferred against the State Railroad Commissioners be and he is hereby author-

ized and empowered to appoint a stenographer for said committee, whose compensation shall be the same as now allowed by law to official reporters, and the same shall be payable out of the fund for the contingent expenses of the Senate.

Adopted.

SENATE CONCURRENT RESOLUTION.

By Senator Maher: Senate Concurrent Resolution No. 5—

Resolved by the Senate, the Assembly concurring. That there be appointed by the President of the Senate and the Speaker of the Assembly a committee of ten, five from each house, whose duty it shall be to visit the Golden Gate Park, of the city of San Francisco, and to have a conference with the Board of Park Commissioners of that city in respect to amending the present law regarding parks.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Streeter, Whitehurst, and Wilson—28.

NOES—Messrs. Dunn, Martin, and Ostrom—3.

RESOLUTION—(OUT OF ORDER).

By Senator Broderick:

Resolved. That the Controller be and he is hereby instructed to draw his warrant on the Contingent Fund of the Senate, in favor of Miss Flora Vivian, for the sum of thirty dollars (\$30), being for services as Substitute Clerk of the Committee on Education and Public Morals during the necessary temporary absence of the clerk on leave.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

ADJOURNMENT.

At four o'clock and twelve minutes p. m., on motion of Senator Earl, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 8, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

LEAVE OF ABSENCE.

Senator Carpenter was granted leave of absence for the day, on motion of Senator Maher.

MOTION.

On motion of Senator Wilson, the consideration of Senate Bill No. 155 was made a special order for to-morrow afternoon, immediately after special order set by the rules.

PRESENTATION OF PETITIONS.

The following petition was presented by Senator Earl, and referred to Committee on Public Buildings other than Prison Buildings, and at his request was ordered printed in the Journal:

To the honorable members of the Senate and Assembly of the State of California:

The undersigned, representing the several branches of the building industries, do petition and respectfully ask your favorable consideration of Senate Bill No. 384, as amended:

P. A. Cameron, builder; W. Winsue, builder; A. S. Ruck, builder; J. K. Orelup, sub-contractor; Serril Winsor, pottery; Wm. Carroll, bricklayer; J. H. Fell, plasterer; P. F. Boyle, carpenter; E. M. Derby & Co., lumber dealers; M. Rogers, carpenter; N. Hanson, carpenter; J. A. Hutchins, carpenter; Gardner & Boyden, builders; R. Wiand, carpenter; J. Cowell, carpenter; Pierce Hardware Co., hardware dealers; Dalziel & Moller, plumbers and gas fitters; Jeffries, Mitchell & Tutt, plumbing and gas-fitting; D. Cleland, builder; F. M. Farwell & Sons, painters; Richard Bibby, carpenter; D. H. Holt, carpenter; C. A. Caswell, builder; W. H. Bailey, carpenter; Fred. R. Moore, paper hanger; A. Bailey, painter; A. Hoenisch, carpenter; W. T. Veitch & Bro., builders and contractors; J. E. Caine, carpenter; L. J. Legea, carpenter; George Carroll, carpenter; J. H. Barber, carpenter; H. Plug, carpenter; E. J. Squires, carpenter; James Felzer, carpenter; J. G. Leach, carpenter; O. Duval, carpenter; Chas. Mann, carpenter; T. L. Franks, wood carver; G. A. Scott, carpenter; James Toolbig, builder; L. G. Jones & Co., builders and contractors; Charles Christ, builder; A. C. Metavish, plasterer; Hogan & Cruz, plumbers; E. E. Weddon, painter; Thomas E. Dowd, carpenter; P. J. O'Leary, plasterer; H. J. Herrick, electrician; C. R. Bunce, carpenter; E. W. Doak, carpenter; A. Johnson, carpenter; Charles Ericson, carpenter; Christian Kleg, carpenter; F. C. Walker, plumber; Chas. H. Timmins, carpenter; C. A. Fuller, carpenter; T. Orelup, carpenter; C. M. Stanley, carpenter; Henry Maddern, plumber; J. B. McDonald, contractor and builder; A. Kendall, planing mill; Herbst & McLeod, builders; Washington Street Planing Mill; Concannon & Shay, builders; G. A. Kirk, builders; Remillard Brick Co., brick dealers; Thexton & Co., stair builders; Frank Phillips, stair builder; J. A. Legault, stair builder; Louis Grof, carpenter; C. C. Eisen, carpenter; F. Klengs, wood carver; Geo. Bettleston, carpenter; N. B. Cook, carpenter; P. R. Cunningham, carpenter; Burnham, Stanford Co., Oakland Planing Mills; A. T. Buswell, carpenter; Taylor & Co., lumber; T. L. Hierlihy & Co., Pioneer Planing Mills; H. F. H. Brown, builder; J. McCully, millman; O. Legault, carpenter; W. M. Bullock, millman; Philip Serda, band sawyer; E. D. Matthews, millhand; G. W. Smith, millhand; G. F. Whitecomb, machine-hand; J. H. Butler, millhand; H. L. Stevens, millhand; T. H. Sullivan, carpenter; Thomas Farly, wood turner; E. A. Howard & Co., hardwood lumber dealers; V. L. Fortin, brickmaker; W. Berry, carpenter; J. Gent, carpenter; J. A. Eastman, builder; F. C. Bignami, builder; John Mob, millman; C. Schneider, carpenter; T. F. Brown, foreman planing mill; Fritz Lund, millhand; W. Bartels, carpenter; A. T. Schroeder, carver; Ingle & Atkinson, mill owners; Geo. W. Gillespie, Jr., wood turner; L. Baid, wood worker; G. Atkinson, wood worker; Chas. Hesse, wood worker; S. V. Pinsonnault, car builder; J. A. Gagnon, carpenter; H. Belisle, carpenter; Geo. O. Wahlerantz, carpenter; John S. Corrigan, carpenter; A. K. P. Blethen, carpenter; A. Peterson, carpenter; Hubert Rumann, carpenter; M. Andrade, machine-hand; P. Newhouse, machine-hand; Geo. Orton, machine-hand; P. J. Brophy, builder; Frank Ingerson, carpenter; Humboldt Lumber Co., lumber dealers; John J. Eagen, lumber dealer; G. M. Blair, stair builder; W. D. Boyce, mantel manufacturer; A. Milwain, builder; J. A. Shepperd, carpenter; John Bishop, carpenter; E. R. Bryant, carpenter; The Gray Bros. A. S. P. Co., artificial stone; Hyde & Shear, tinners and plumbers; R. T. Marshall, carpenter; C. G. Brigg; W. P. Wetmore, plasterer; John A. Foster, carpenter; C. Hooley, painter; W. F. Judson, carpenter; W. W. Tucker,

painter; R. Kimball, painter; Wm. Mords, iron worker; J. A. Smilie; H. E. Jones; Asa R. Wells, Mechanics' Mills; Andrew Wilkie, Mechanics' Mills; Geo. H. Wilson, carpenter; A. P. Christie, carpenter; Levi Carr, machine-hand; Thos. Smith, machine-hand; John Graham, joiner; F. D. Wells, carpenter; H. Brain, carpenter; Thomas Hickling, machine-hand; Napier Hamilton, carpenter; Stephen Poggie, machine-hand; C. H. Wedgwood, architect and contractor; W. T. Jones, carpenter; A. Cameron, turner; W. L. Wilson, wood molder; P. J. Walsh, turner; C. N. Payson, stair builder; H. C. Moffat, stair builder; L. Maenche, stair builder; Wm. Lennon, stair builder; W. A. Byrnes, wood turner; D. V. Hoag, machinist; Geo. Malcolm, wood carver; H. M. Drew, stair builder; A. H. Redor, stair builder; G. W. Drew, millhand; Sam E. Barnum, machine-hand; F. A. Geaon, millhand; D. McDevitt, millhand; Geo. Stocker, millhand; Edw. B. Hindes & Co., manufacturers of patent blinds; W. Bateman, cabinet maker; Geo. Stierber, wood molder; F. Cumming, wood turner; H. M. Freck, stair builder; O. Craemer, stair builder; John Goetzell, carpenter; T. Scharf, carpenter; I. T. Newsom, carpenter; Tod & Peters, housemiths; Charles S. Hoffman, wood carver; L. W. Hoffmann, wood carver; J. Bieshesheimer, wood carver; W. Heidt; B. Zehnder, cornicemaker; C. Heidt, turner; Mission Mfg. Mills; B. Pedersen, turner; Arthur Little, machine-hand; G. Moenning, Main Street Planing Mill; D. J. Portley, sawyer; Dyer Bros., housemiths; De Voto, housemith; U. von Beseler, housemith; Eugene Clancy, housemith; Fred. Swartz, housemith; J. Clancy, housemith; F. E. Jenkins, machine-hand; John Quinton, carpenter; C. S. Bigelow, Bay City Iron Works; Jno. B. Leonard, Bay City Iron Works; J. P. Donovan, Bay City Iron Works; J. Risdon, Bay City Iron Works; Wm. Davis, Bay City Iron Works; J. Connell, Bay City Iron Works; R. Barnett, Bay City Iron Works; K. A. Giese, Bay City Iron Works; T. Fitzpatrick, Bay City Iron Works; C. B. Wedekind, Bay City Iron Works; F. W. Krenz, housemith; James Hatch, millman; W. H. Turner; Thos. O'Brien; B. L. MacDonald, Enterprise Mill; J. C. O'Rourke, turner; J. O'Rourke, turner; Jas. T. Warren, Enterprise Mill; J. McLaughlin, stair builder; Albert Goldmann, carpenter; Dutton Herman, carpenter; Paul Loehen, carpenter; A. Anderson, carpenter; Joseph Kemp, millwright; N. Parish & Co., mill owners; H. Rolsten, Rolsten Iron Works; W. T. Kilgrove, draughtsman; C. H. Dehnert, railing maker; C. A. Nolte, Eagle Iron Foundry; Cahill & Hall Elevator Co.; A. J. McNicoll & Co., Elevator Works; M. C. Lynch, builder; L. J. Dwyer, painter; James J. O'Brien, builder; P. J. Griffin, builder; Daniel Powers, builder; Michael O'Hare, plasterer; J. W. Smith, builder; P. H. Stuart, contractor; John T. Hayes, builder; Wm. E. Ambrose, contractor; A. H. Plummer, contractor; Paraffine Paint Co., building supplies; F. A. Williams, contractor; John McCann, builder; W. R. Johnston, millman; T. A. Geiss, millman; J. D. Ligh, millman; J. J. Wyatt, plasterer; A. H. Leaf, plasterer; Charles H. Rapp, metal roofing; California Mosaic and Tiling Co., mantels and tiles; The Wilkinson Co., glass dealers; Bennett Bros., hardware dealers; Geo. Hamsbrough, builder; Collignon & Larsen, architects; Chas. Quast, concrete, artificial stone; John N. McLeod, contractor and builder; Richard Faraday, lumber dealer; Jas. W. Reinfela, painter; J. F. Conway, carpenter; Thos. Mannix, plasterer; L. A. Pearl, glazier; N. Lindstrom, bricklayer; Wm. J. Ford, contractor; E. C. Worden & Son, contractors; James McInerney, builder; Fred. L. Hansen, builder; J. W. Fish, builder; T. K. Simonton, builder; R. W. Brown, millman; Johnston & Richardson, millmen; M. W. Hackman, plumber; J. F. Butler, plumber; M. Schimetschet, hardware, bellhanger; Thomas Ind, contractor and builder; H. Tanzi, painter; Henry Thuner, bricklayer; T. Sullivan, builder; Geo. Reichley, builder; Anderson Bros., builders; Arnold Glair, glazier; N. D. Foster, carpenter; John Downs, builder; J. P. McCormick, builder; James Geary, builder; C. Wittington, iron-work; Trobridge & Son, wirework; R. Doyle, builder; Wm. Chatham, builder; James Foye, plasterer; Nicholas Bradley, plasterer; W. J. Thomson, millman; Nelson H. Boyver, millman; John Acheson, carpenter; Fred. Hawes, carpenter; John Fraser, carpenter; P. J. Lydeard, carpenter; Robert Howatt, carpenter; W. H. Harrison, carpenter; M. Krautz, carpenter; M. Husted, carpenter; W. Little, carpenter; A. T. Tillson, carpenter; C. W. Quinn, carpenter; T. R. McLeod, carpenter; George W. Meyers, carpenter; James S. Crome, carpenter; R. M. Dewar, carpenter; W. McKenzie, carpenter; James Young, millman; F. W. Newnan, millman; A. B. Goodwin, millman; William Greig, millman; A. W. Sarrell, millman; D. S. Cartwright, teamster; L. Ph. Bolander, millman; Charles Joseki, millman; Joseph Madsen, millman; L. Ostrander, millman; T. D. H. Horstmann, millman; Fulda Bros., millmen, 30 to 40 Spear Street; Osborn & Alexander, hardware; Brennan Bros., builders; Jas. A. Maguire, plumbers' supplies, etc.; Joseph Kennedy, carpenter and contractor; H. B. Hobson, engineers' supplies; F. W. Kreling & Sons, manufacturers interior work; Edw. Burns, architect; Wm. McCaslin, hardware; J. B. Williams & Co., pottery; John Massey, builder; Thos. F. Lowrey, iron work; W. H. Lillie, architect; A. J. Ahern, contractor; J. P. Conway, contractor; Robt. W. Martland, Pacific Electric Construction Company; L. L. Lyle, International Electric Supply Company; H. Jacks, carpenter; Louis Helling, contractor; George Fryer, carpenter; John Swanson, carpenter; F. O. Carlson, carpenter; Olef Peterson, carpenter; C. A. Andersen, carpenter; C. M. Johnson, carpenter; A. Lawson, carpenter; H. W. Weldon, carpenter; P. M. Wellin, carpenter; Frank Schaadt, carpenter; F. B. Monson, millman; F. L. McLagars, millman; K. Gilchrist, millman; F. Wilbers, millman; Philip Grosse, carpenter; James F. Devlin, carpenter; J. L. Cahalin; John Rice; T. Sneed; J. McGivern; Chas. Lucas; Edward Lawlor; Charles Strandley; Joseph Esnard; John Lavelle, plumber; William Kelly, painter; P. A. Norton, teamster; John V. Conniff, patent chimneys; Fred. Jackson, Jr., carpenter; Fred. C. Schaertzer, plumbers' supplies; T. P. O'Brien, carpenter; Isaac L. G. Sager, carpenter; A. C. Fergusson, carpenter;

T. O. H. Parry, carpenter; John M. Winter, carpenter; Fred. Scharbl, carpenter; T. Dolan, carpenter; F. W. Neubert, carpenter; F. A. Geier, Market Street Planing Mill; Thomas Lee, millman; M. I. Bartholme, carpenter; Edward Norman, painter; R. E. Eckler, painter; J. A. Lewin, painter; R. Eckler, painter; B. J. Barrett, marble and granite; E. H. Forest, California Electric Supply Construction Co.; Joseph J. Smith, California Electric Supply Construction Co.; George von Arx; W. N. Wright, tinner; J. H. Andrews, tinner; L. Wissing, cornicemaker; G. Eberlein, cornicemaker; August Williams, tinner; N. Rose, Eagle Sheet-metal Works; M. J. Feeley, carpenter and builder; H. J. Thompson, lime, brick, and cement; John Beatty, carpenter; D. S. Fraser, carpenter; G. B. Badgley, carpenter; C. F. Libby, carpenter; E. W. Doughty, carpenter; J. A. Boyver, carpenter; W. J. Juskins, mill foreman; H. S. Bernard, carpenter; J. Frisken, carpenter; E. H. Met arthy, wood molder; W. L. Mitchener, wood molder; J. D. Hutton, millman; J. S. Ethel, millman; Golden State Planing Mills, millmen; William Helbing, carpenter; A. B. Johnston, carpenter; A. J. Berg, stair builder; Peter Pendola, tin roofer; R. C. Humiston, contractor; William Ryan, carpenter; Thomas J. Crawford, carpenter; John Grace, carpenter; John F. O'Brien, carpenter; S. Fannon; T. E. Parkinson, plumber; J. H. Punder, plumber; J. P. Striegel, plumber; G. A. Gray, San Francisco Planing Mill; A. T. Morris, San Francisco Planing Mill; T. Melz, W. H. Wiggins, William Lebodie, Thomas Kerss, Joseph F. Monaghan, James Pennycock, W. J. Jones, E. E. Bacon, A. E. Bennett, Timothy Skelley, Constantens Paves, Alfred J. Rich, W. J. Morton, C. Parissant; Aug. Welsch, wood carver; Joe Marks; Frank T. Riley, wood carver; C. J. Tharpe, wood carver; Charles M. Depew Planing Mill Company, Charles M. Depew, President; G. Peterson, contractor; A. Olson, contractor; J. H. Dunne, wood carver; Ph. Squire, foreman of C. M. Depew; Karl Hansen; John Ainsworth; W. J. Grace & Co., sugar pine lumber; D. O'Connell, wood carver; McFarland Brothers, millmen; W. W. Elliott, foreman for McFarland; F. Born, machine-hand; J. B. White, machine-hand; J. Elliot, millman; R. H. Faut, millman; Frank Huber, doors, sash, and blinds; Joseph O'Brien, millman; John J. McGuire, millman; Judson T. Craker, Henry W. Hailer, Fred. Gemballa, Michael Weber, H. Busdorf, E. Green, J. W. Coleman, D. F. Barry, B. F. Kreiter, G. H. Wolfe; J. G. Klemm, cabinet work; P. Mellick, C. Ahrens, C. Nissen, N. Nelson, W. H. Hanchett; James McDevitt, millman; Pacific Coast Door Company, sash and doors; E. H. Priest, carpenter; David Dodge, Excelsior Mill Company; C. F. Robertson, J. Madden, S. E. Brown, A. S. Dodge, W. H. Fought, E. W. Lincoln, W. A. Carlson, Tom McGuire; O. Burmeister & Co., Stockton Mills; E. Searle, F. N. Hayman, P. J. Cole, L. A. Iverson, F. Read; John McKee, stair builder; Henry Rohling, builder; Alex. McLaughlin, contractor; James Campbell, builder; James A. McCullough, Planing Mill Co.; Alfred H. Simpson, painter and decorator; James H. Gibson, painter and decorator; Towle & Broadwell, planing mill; John F. Hays, contractor; George M. Wilson, painter; John A. McLeod, builder; S. W. Smith, building supplies; A. I. Sanborn, stair builder; Ed. Platz, roofer; Thomas B. Roche, granite contractor; Geo. H. Tenbrook; Ferdinand Wagner, bricklayer and contractor; A. M. Arnold, contractor; S. Warfield; James Guilfoxy, tin and sheet-iron worker; John G. Fallon, carpenter; Reinhold Schoeslin; W. H. Salisbury & Co., doors, sash, and lumber; Edward Long, stair builder; Jno. J. Dunn, builder; H. C. Winkler, electrician; John J. O'Brien, builder; Thos. J. Walsh, builder; J. W. Hansbrough, builder; Chas. C. Terrill, builder; Miller & Hamilton, millmen; D. F. Muhills, plasterer; J. R. Tobin, plasterer; Riley & Loane, masons and builders; D. Kilpatrick, stone contractor; Gus V. Daniels, painting contractor; C. W. Elliot, lumber; Alex. Mennie, plasterer; J. R. Wilcox, builder; J. J. Morehouse, plasterer; Mallstay, mason; C. J. Averett, Hydraulic Press Brick Co.; Thomas H. Day, builder; Robert Smilie, builder; Thos. R. Bassett, builder; William Cronan, roofer; McGowan & Butler, builders; W. C. Watson, plasterer; F. W. Schaleke, artificial stone; P. L. McClure, water supply for building purposes; Chas. Dunlop, plasterer; L. B. Sibley, teamster; C. Chisholm, builder; F. W. Kern, builder; O'Connell & Lewis, foundrymen; W. U. Wetmore, millman; David Dillon, teamster; Peacock & Butcher, builders; E. L. Snell, lime and plasterers' supplies; Western Iron Works, iron workers; Leibert & Hoffmann, builders; Henry Muttie, builder; Mathew Kelleher, house mover; Alex. L. Campbell, builder; Dieckman & Co., lumber dealers; Edw. B. Hindes & Co., blinds, etc.; R. Pingrose, mason; L. C. Judkins, builder; C. C. Morehouse, plasterer; Flanagan & Maguire, lime dealers; J. F. Sullivan, painter; Abel Hosmer, granite dealer; Garrett Burke; I. Byson, bricklayer; John Tuttle, lime, lath, and cement; A. Jackson, carpenter; C. P. Moore, carpenter; G. A. Schuster, millman; San José Brick Co., by Wm. McKinner, agent, brick manufacturers; Tobias Hoek, brick contractor; W. H. Williams, bricklayer; Jacob Haaf, brickmason; Niehaus Bros. & Co., West Berkeley Planing Mills; D. O. Sullivan, mason, contractor; J. C. Diggins, contractor; Martin Fennell & Son, masons and builders; J. M. Curry, stone dealer; Robert Boyd, mason and builder; Wm. Farwell, sandstone dealer; D. J. Brennan, bricklayer; Henry Cowell & Co., lime and cement, etc.; F. M. McLachlen, carpenter; Frank DeGueere, metal worker; Chas. W. Henon, bricklayer; Renillard Brick Co., brick manufacturers; Wm. Crocker, millman; Sacramento Transportation Co., by Wm. Young, agent, brick manufacturers; L. E. Clawson & Co., sewer pipe and patent chimneys; T. W. Petersen & Co., brick manufacturers; Patent Brick Co., by G. P. Kane, brick manufacturers; J. R. Fairweather, millman; James Mulcahy, mason and builder; Chas. Wagner, brick mason; Jack Wagner, builder; R. P. Sanches, builder; Thos. Winters, plasterer; Charles H. Carter, plasterer; F. M. Greenwood, hardware; F. Klatt, builder; Fred. T. Petersen, architect; F. M. Stevens, contractor; R. T. Bennett, contractor; S. Petersen & Co., plumbing and gasfitting; A. J. Reavey, plumber, etc.; Thos. Reavey, machinist; H. Riley, plumber; Thomas Learned, painter; H. H. Larsen, 569 Bryant St.; W. A. Ryan, carpenter; Wm. J. Parr, electrician; Michael Whalen, carpenter.

The following petition was presented by Senator Earl, and referred to Committee on Public Buildings other than Prison Buildings:

WHEREAS, The State Reform School at Whittier has been now in operation for eighteen months, and during that time has received from various counties of the State four hundred and fifty-nine children, including forty-two from this county, who have there received the care, education, and discipline which they required, and which is nowhere else in this State provided for them; and whereas, said school is now so crowded that the numerous children recently committed thereto by the Courts of this State cannot be admitted, and are now in many instances being detained in county jails awaiting an opportunity for admission to said school; now, therefore, be it

Resolved by the Board of Supervisors of the County of Alameda, That the Legislature of this State be and is hereby respectfully requested to make provisions as early as possible for such additions to and support of said school as will enable it to meet the needs of the State, and to successfully carry out its laudable purposes; and be it further

Resolved, That the representatives of this county in the Legislature be requested to present a copy of these resolutions to the Legislature, and use their best efforts to secure prompt and favorable action in the premises.

BOARD OF SUPERVISORS OF ALAMEDA COUNTY.

The following petition was presented by Senator Langford, and referred to the Committee on Public Buildings other than Prison Buildings:

Before the Board of Supervisors, San Joaquin County, State of California. January Session, 1893.

TUESDAY, January 24, 1893.

The Board met this day in regular session.

Present—Supervisors J. A. Shepherd, Chairman; W. McK. Carson, James Brown, Wm. Ennis, Otto Grunsky; C. W. Yolland, Clerk.

In the matter of the State Reform School at Whittier, California.

Supervisor Carson offered the following preamble and resolution, and moved its adoption, seconded by Supervisor Grunsky:

WHEREAS, The State Reform School at Whittier has been now in operation for eighteen months, and during that time has received from various counties of the State four hundred and fifty-nine children, including seven from this county, who have there received the care, education, and discipline which they required, and which is nowhere else in this State provided for them; and whereas, said school is now so crowded that the numerous children recently committed thereto by the Courts of this State cannot be admitted, and are now in many instances being detained in county jails awaiting an opportunity for admission to said school; now, therefore, be it

Resolved by the Board of Supervisors of the County of San Joaquin, That the Legislature of this State be and is hereby respectfully requested to make provisions as early as possible for such additions to and support of said school as will enable it to meet the needs of the State and to successfully carry out its laudable purposes; and be it further

Resolved, That the representatives of this county in the Legislature be requested to present a copy of these resolutions to the Legislature, and use their best efforts to secure prompt and favorable action in the premises.

Carried, and so ordered by the following vote:

AYES—Supervisors Shepherd, Carson, Brown, Ennis, and Grunsky.

J. A. SHEPHERD, Chairman.

Attest: C. W. YOLLAND, Clerk.

REPORTS OF STANDING COMMITTEES.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 104—An Act to amend sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, and one thousand six hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and three, relating to the election of School Trustees.

Also: Senate Bill No. 156—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 12, 1872, approved March 20, 1889, relating to elections.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Also: Senate Bill No. 194—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Also: Senate Bill No. 195—An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors.

Have had the same under consideration, and respectfully report the same back without recommendation.

VOORHEIS, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 466—An Act for the relief of Patrick Creighton.

Also: Senate Bill No. 251—An Act for the relief of Barnaby Dougherty.

Also: Senate Bill No. 226—An Act for the relief of George Dougherty.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Judiciary.

Also: Senate Bill No. 574—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Also: Senate Bill No. 582—An Act making an appropriation to pay the deficiency in the appropriation for restoration and preservation of fish in the waters of the State for forty-second and forty-third fiscal years.

Also: Senate Bill No. 583—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for forty-second and forty-third fiscal years.

Also: Senate Bill No. 316—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Also: Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 580—An Act entitled an Act to appropriate money to pay the claim of Patrick Begley, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners.

Also: Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Also: Senate Bill No. 28—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Also: Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Also: Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

Senate Bill No. 481 re-referred to Committee on Public Buildings other than Prison Buildings.

Senate Bills No. 466, 251, and 226 re-referred to Committee on Judiciary.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 486—An Act to amend sections two thousand six hundred and forty-two,

two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and forty-six of the Political Code, relating to roads and highways.

Also: Senate Bill No. 550—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, and two thousand six hundred and fifty-two, relating to roads and highways.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 545—An Act prohibiting the use of barbed wire fence on public lanes, streets, alleys, roads, or highways—have had the same under consideration, and respectfully report the same back without recommendation.

ORR, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation—have had the same under consideration, and respectfully report the back, and recommend that it do pass.

SIMPSON, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 70—An Act to amend section one thousand seven hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HART, Chairman.

MOTION.

On motion of Senator Berry, the consideration of Senate Bill No. 293 was made a special order for one o'clock and thirty minutes p. m. this day.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of February, passed Senate Joint Resolution No. 16—Relative to the annexation of the Hawaiian Islands.

GEO. W. PECKHAM, Chief Clerk.

By JOHN T. RYAN, Assistant Clerk.

Senate Joint Resolution No. 16 ordered to enrollment.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Hoyt: Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

Referred to Committee on Judiciary.

By Senator Voorheis: Senate Bill No. 636—An Act amending section sixty of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the terms of all elective county and township officers.

Referred to Committee on County Government and Township Organization.

By Senator Hart: Senate Bill No. 637—An Act making an appropriation for the payment of the salary of the Librarian of the Supreme Court for the remainder of the forty-fourth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 638—An Act to amend section seventy-one of the Code of Civil Procedure.

Referred to Committee on Judiciary.

SENATE JOINT RESOLUTION.

By Senator Ostrom: Senate Joint Resolution No. 23—Relating to ownership and operation of railroads by the people.

Referred to Committee on Federal Relations.

SPECIAL FILE.

Senate Bill No. 120 passed on file.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 166 passed on file.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140 passed on file.

Senate Bill No. 74 passed on file.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

The question being on the final passage of Senate Bill No. 36.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Title read and approved.

Senator Voorheis asked unanimous consent to present a report of committee.

Permission granted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to the Mendocino State Asylum for the Insane, for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum—have had the same under consideration, and the committee recommend that the bill do pass as amended.

VOORHEIS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Seawell:

Resolved, That Senate Bill No. 122 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 122 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—34.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Read first time.

During the second reading of the bill the following committee amendments were adopted:

In line eight, section one, of printed bill, strike out the words "nine hundred and ninety-seven," and insert in lieu thereof "nine hundred and thirty-seven."

Also: In line nine, strike out figures "97," and insert figures "37."

Also: Amend by adding new section, known as section three, as follows:

"Sec. 3. The amount herein appropriated shall be exempt from the provisions of section six hundred and seventy of the Political Code."

Amend section three by re-numbering it section four.

Bill read second time, ordered to print as amended, engrossment, and on file for third reading.

MOTION.

Senator Ford moved that the rules be suspended for the purpose of introducing a resolution.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—29.

NOES—Messrs. Burke, Orr, Ostrom, and Wilson—4.

RESOLUTION—(OUT OF ORDER).

By Senator Ford:

Resolved, That a special committee of three Senators be appointed by the President of the Senate, with power to send for persons and papers and to employ a stenographer, whose duty it shall be to visit the Whittier Reform School in Los Angeles County, investigate the conduct and management thereof, ascertain the condition and financial needs of the same, and report the result of their investigations back to the Senate.

Pending roll call, the hour for consideration of special order set for eleven o'clock A. M. having arrived, the President called up the special order.

SPECIAL ORDER.

Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Senator Goucher moved that the consideration of the special order set for eleven o'clock A. M. be passed and reset for two o'clock P. M. to-day.

The President ruled the motion out of order.

Whereupon, Senator Goucher moved that the rules be suspended, so that the consideration of Senate Bill No. 198 could be made a special order, with precedence over special order fixed by the rules for the same hour, viz., two o'clock P. M. this day.

The roll was called, the rules suspended, and consideration of Senate Bill No. 198 reset as a special order for two o'clock P. M. this day by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Martin, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—Mr. Burke—1.

The question reverting to the question of the adoption of the resolution offered by Senator Ford.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Denison, Dunn, Earl, Gesford, Harp, Hart, Langford, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—None.

Senator Earl moved a suspension of the rules for the purpose of submitting a resolution for adoption.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Ford, Harp, Hart, Langford, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—27.

NOES—Messrs. Burke, Orr, and Wilson—3.

RESOLUTION—(OUT OF ORDER).

By Senator Earl:

Resolved, That all the testimony taken and proceedings had and to be had by the Committee on Constitutional Amendments relative to Senate Constitutional Amendment No. 8, and the proposed committee substitute therefor, be printed, and that the printer be and he is hereby authorized and directed to print two thousand copies of the said proceedings upon the completion of the hearings of said committee as to said amendment.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Ford, Gesford, Goucher, Harp, Hart, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 72—An Act to provide for a day of rest from labor.

The question being on the final passage of Senate Bill No. 72.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Denison, Earl, Everett, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Passed on file.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

The question being on the final passage of Senate Bill No. 207.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Campbell, Denison, Dunn, Flint, Ford, Hart, Langford, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Simpson, Streeter, Whitehurst, and Wilson—22.

NOES—Messrs. Berry, Biggy, Earl, Gesford, Hoyt, McAllister, McGowan, Seymour, Shippee, Voorheis, and Williams—11.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Burke gave notice that he would, on to-morrow, immediately after reading of the Journal, move to reconsider the vote whereby Senate Bill No. 207 was finally passed.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Joint Resolutions have been correctly enrolled:

Senate Joint Resolution No. 15—An Act relating to the construction by the United States Government of a deep-water harbor at San Pedro, on the coast of Los Angeles County.

Also: Senate Joint Resolution No. 18—Relative to break in Feather River.

Also:

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly reëngrossed:

Substitute for Senate Bills Nos. 57, 58, 140, 29, 30, 32, 53, and 54—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act entitled "An Act for the relief of insolvent debtors, the protection of creditors, and the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

Also: Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

RAGSDALE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times" for advertising the election proclamation in the forty-second fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

Title read and approved.

Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund and Interest and Sinking Fund, Levee District No. 5.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Fay, Flint, Ford, Gesford, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Read third time.

Senator Voorheis moved that the enacting clause be stricken from the bill.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Denison, Dunn, Fay, Harp, McAllister, Orr, Ostrom, Voorheis, and Wilson—13.

NOES—Messrs. Bailey, Broderick, Earl, Everett, Gesford, Langford, McGowan, Maher, Martin, Mathews, Mitchell, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Williams—18.

The question then recurring on the final passage of the bill.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bailey, Earl, Everett, Goucher, Hoyt, Langford, McGowan, Martin, Mitchell, Ragsdale, Seawell, Simpson, Streeter, Whitehurst, and Williams—15.

NOES—Messrs. Biggy, Burke, Campbell, Denison, Dunn, Fay, Gesford, Harp, McAllister, Maher, Mathews, Orr, Ostrom, Shippee, Voorheis, and Wilson—16.

NOTICE OF RECONSIDERATION.

Senator Maher gave notice that on to-morrow he will move a reconsideration of the vote whereby Senate Bill No. 250 was this day refused final passage.

RECESS.

The hour of twelve o'clock having arrived, a recess was declared until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

SPECIAL ORDERS.

Senate Bill No. 131—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Read third time.

SUSPENSION OF THE RULES.

At one o'clock and fifty-five minutes P. M., Senator Streeter moved that Rule VII be suspended for the purpose of disposing of the two special orders set for consideration at one o'clock and thirty minutes P. M. this day.

The roll was called, and Rule VII suspended by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

The question then recurring on the final passage of Senate Bill No. 131.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs Burke, Campbell, Denison, Earl, Everett, Fay, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McLoway, Maher, Munroe, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—Messrs Arms, Berry, Biggy, Broderick, Carpenter, Dunn, Flint, Gesford, Mitchell, Shippee and Williams—11.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Seymour gave notice that he would on to-morrow move a reconsideration of the vote whereby Senate Bill No. 131 was this day finally passed.

SPECIAL ORDER—CONSIDERATION OF GOVERNOR'S MESSAGES.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, February 7, 1893.

To the Senate of the State of California:

I hereby nominate J. B. Brown, of Humboldt County, to the office of Brigadier-General of the Sixth Brigade of the National Guard of California, to succeed John W. Freese, deceased, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of J. B. Brown, of Humboldt County, to the office of Brigadier-General of the Sixth Brigade of the National Guard of California, to succeed John W. Freese, deceased?"

By direction of the President the roll was called, with the following result:

AYES—Messrs Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McLoway, Maher, Munroe, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Whitehurst, Williams, and Wilson—34.

NOES—None.

Whereupon, the President announced the appointment of J. B. Brown to the office of Brigadier-General of the Sixth Brigade of the National Guard of California duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, February 7, 1893.

To the Senate of the State of California:

I hereby nominate (Charles P.) Ellis, of the county of San Francisco, to the office of Trustee of the California Home for the Care and Training of Pauper-Minded Children, to succeed Mrs. Katharine B. Lathrop, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Charles P. Ellis, of the county of San Francisco, to the

office of Trustee of the California Home for the Care and Training of Feeble-Minded Children, to succeed Mrs. Katharine B. Lathrop, resigned?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seawell, Shippee, Streeter, Voorheis, Whitehurst, and Wilson—32.

NOES—None.

Whereupon, the President announced the appointment of Charles P. Eells to the office of Trustee of the California Home for the Care and Training of Feeble-Minded Children duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Mark B. Ivory, of the county of Contra Costa, to the office of State Prison Director, to succeed Charles Sonntag, whose term expires January, 1894, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Mark B. Ivory, of the county of Santa Clara, to the office of State Prison Director, to succeed Charles Sonntag, whose term expires January, 1894?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seawell, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Whereupon, the President announced the appointment of Mark B. Ivory to the office of State Prison Director duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Chester A. Rowell, of the county of Fresno, to the office of Regent of the State University, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Chester A. Rowell, of the county of Fresno, to the office of Regent of the State University, to succeed himself?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—34.

NOES—Messrs. Gesford and McAllister—2.

Whereupon, the President announced the appointment of Chester A. Rowell to the office of Regent of the State University duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Charles W. Slack, of the county of San Francisco, to the office of Regent of the State University, to succeed Horatio Stebbins, whose term expires March 1, 1894, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Charles W. Slack, of the county of San Francisco, to the office of Regent of the State University, to succeed Horatio Stebbins, whose term expires March 1, 1894?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

Whereupon, the President announced the appointment of Charles W. Slack to the office of Regent of the State University duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Dan T. Cole, of the county of Sierra, to the office of State Harbor Commissioner, to succeed C. O. Alexander, whose term expires March 12, 1893, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Dan T. Cole, of the county of Sierra, to the office of State Harbor Commissioner, to succeed C. O. Alexander, whose term expires March 12, 1893?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—37.

NOES—None.

Whereupon, the President announced the appointment of Dan T. Cole to the office of State Harbor Commissioner duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate Arthur Thornton, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Arthur Thornton, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed himself?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—32.

NOES—None.

Whereupon, the President announced the appointment of Arthur Thornton to the office of Director of the Insane Asylum at Stockton duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate J. D. McDougal, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed H. T. Dorrance, term expired, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of J. D. McDougal, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed H. T. Dorrance, term expired?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—31.

NOES—None.

Whereupon, the President announced the appointment of J. D. McDougal to the office of Director of the Insane Asylum at Stockton duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate H. O. Southworth, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed R. S. Johnson, term expired, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of H. O. Southworth, of the county of San Joaquin, to the office of Director of the Insane Asylum at Stockton, to succeed R. S. Johnson, term expired?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—29.

NOES—None.

Whereupon, the President announced the appointment of H. O. Southworth to the office of Director of the Insane Asylum at Stockton duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate C. W. Nutting, of the county of Siskiyou, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of C. W. Nutting, of the county of Siskiyou, to the office of Member of the State Board of Health, to succeed himself?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Wilson—30.

NOES—None.

Whereupon, the President announced the appointment of C. W. Nutting to the office of Member of the State Board of Health duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate P. C. Remondino, of the county of San Diego, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of P. C. Remondino, of the county of San Diego, to the office of Member of the State Board of Health, to succeed himself?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—29.

NOES—None.

Whereupon, the President announced the appointment of P. C. Remondino to the office of Member of the State Board of Health duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate W. G. Cochran, of Los Angeles County, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of W. G. Cochran, of Los Angeles County, to the office of Member of the State Board of Health, to succeed himself?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Denison, Earl, Everett, Fay, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Williams, and Wilson—27.

NOES—None.

Whereupon, the President announced the appointment of W. G. Cochran to the office of Member of the State Board of Health duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate J. R. Laine, of the county of Sacramento, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of J. R. Laine, of the county of Sacramento, to the office of Member of the State Board of Health, to succeed himself?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Fay, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—29.

NOES—None.

Whereupon, the President announced the appointment of J. R. Laine to the office of Member of the State Board of Health duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate W. R. Cluness, of the county of San Francisco, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the

appointment of W. R. Cluness, of the county of San Francisco, to the office of Member of the State Board of Health, to succeed himself?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Earl, Everett, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Whereupon, the President announced the appointment of W. R. Cluness to the office of Member of the State Board of Health duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate W. F. Wiard, of the county of Sacramento, to the office of Member of the State Board of Health, to succeed Julius Rosenstein, resigned, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of W. F. Wiard, of the county of Sacramento, to the office of Member of the State Board of Health, to succeed Julius Rosenstein, resigned?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—31.

NOES—None.

Whereupon, the President announced the appointment of W. F. Wiard to the office of Member of the State Board of Health duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 7, 1893. }

To the Senate of the State of California:

I hereby nominate C. A. Ruggles, of San Joaquin County, to the office of Member of the State Board of Health, to succeed himself, and respectfully ask that you consent to the same.

H. H. MARKHAM, Governor.

The President announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of C. A. Ruggles, of San Joaquin County, to the office of Member of the State Board of Health, to succeed himself?"

By direction of the President the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Fay, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Voorheis, Williams, and Wilson—27.

NOES—None.

Whereupon, the President announced the appointment of C. A. Ruggles to the office of Member of the State Board of Health duly confirmed.

SPECIAL ORDER—SECOND READING OF BILLS.

Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Sections one and two read second time.

Senator Goucher offered the following amendment to section two:

Strike out all the words printed in lines eleven and twelve of the original printed bill, and substitute therefor the following words: "Fresno, to a point where said line is intersected by the San Joaquin River; thence following up the middle of said river to the point of beginning."

Adopted.

Section three read second time.

Senator Goucher offered the following amendment to section three:

Strike out all the words in section three, and substitute therefor the following: "The county seat of the county of Madera shall be chosen as hereinafter provided."

Adopted.

Sections four and five read second time.

The following committee amendment to section five was lost:

At said election shall also be submitted to the qualified electors the location of a county seat of said Madera County, and the place receiving the highest number of votes therefor shall be declared by the Commissioners the county seat of said county.

Senator Goucher offered the following amendment to section five:

After the word "government," in line fourteen, page three of the original printed bill, insert the following: "At said election shall also be submitted to the qualified electors the location of a county seat of said county, and upon a petition of not less than five per cent of the qualified electors of said county of Madera, asking that any town or locality be voted on for county seat, it shall be the duty of the Board of Commissioners to place upon the ballots used at the election herein provided for, after the words 'For County Seat,' the name of the town or locality petitioned for, and a cross mark with a stamp after the name of any town or locality shall be counted as a vote in favor of such town or locality, and the place receiving the highest number of votes therefor shall be declared by the Commissioners the county seat of said county."

Adopted.

The following committee amendments were separately denied an adoption by vote of the Senate:

Amend by striking out of lines eleven and twelve, section two, the words "third standard line south of Mount Diablo base line," and inserting the words "San Joaquin River."

SEC. 3. The county seat of the county of Madera shall be chosen as hereinafter provided.

The remainder of the bill was then read a second time.

Bill as amended ordered to print, engrossment, and on file for third reading, and made a special order for Thursday, February 9, 1893, at eleven o'clock A. M.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 293—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Senator Berry moved that the enacting clause be stricken from the bill.

CALL OF THE SENATE.

Senator Everett moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Secretary announced that Senator Hoyt was the only Senator absent.

The President directed the Sergeant-at-Arms to close the doors of the Senate, and bring before the bar of the Senate the absentee.

The Sergeant-at-Arms appeared with the absentee, and on motion he was excused.

Senator Campbell moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The question then being on the motion of Senator Berry to strike out the enacting clause of Senate Bill No. 293.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Carpenter, Fay, Ford, Gesford, Harp, Langford, McAllister, Ostrom, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Wilson—18.

NOES—Messrs. Bailey, Broderick, Campbell, Denison, Dunn, Everett, Flint, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Streeter, Voorheis, and Williams—20.

SECOND READING OF SENATE BILL No. 293—(RESUMED).

Senator Berry moved to amend as follows:

By striking out of section eight, lines one and five, the words "a majority," where the same occur in each of said lines, and inserting in lieu thereof the following: "two thirds," in each place.

Amendment adopted.

Senator Berry moved to amend as follows:

By striking out of section two, lines six, seven, eight, nine, and ten, the words: "eighteen miles; thence east to the northeast corner of section three, in township twenty-one south, of range twenty-three east, Mount Diablo base and meridian; thence south to the southeast corner of section thirty-four, in township twenty-one south, of range twenty-three east, of Mount Diablo base and meridian; thence east to the northeast corner of section four, in township twenty-two south, of range twenty-four east, Mount Diablo base and meridian," and inserting the following: "nine miles; thence west on section lines to the center of the main channel of Cross Creek as the same now exists; thence southerly down the center of said main channel of said Cross Creek following the meanderings thereof to a point where the center of said channel intersects the section line running north and south, two miles east of the range line between ranges twenty-one and twenty-two east, of Mount Diablo meridian; thence south on said section line to the southwest corner of section thirty-three, in township twenty-one south, of range twenty-two east, of Mount Diablo base and meridian; thence west a distance of eight miles."

Adopted.

CALL OF THE SENATE.

Senator Streeter moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gosford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The President directed the Sergeant-at-Arms to close the doors of the Senate.

The Secretary announced that the absentees were Senators Goucher and Hart.

Senator Langford moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced that he would appoint as the Senate committee to visit the Whittier Reform School, Senators Ford, Everett, and Biggy.

MOTION.

At four o'clock p. m. Senator Berry moved to adjourn, but withdrew the motion temporarily for the purpose of allowing the following committee reports to be presented:

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico, for expenses incurred in recruiting and maintaining military companies.

Also: Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 232—An Act to provide for the payment for advertising notices to Chinese persons in the State of California.

Also: Senate Bill No. 231—An Act to provide for the payment for advertising the funded debt.

Also: Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended by the Finance Committee.

VOORHEIS, Chairman.

NOTICE OF RECONSIDERATION.

Senator Mathews gave notice that he would on to-morrow move a reconsideration of the vote whereby the Senate this day refused to strike out the enacting clause of Senate Bill No. 293.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 14—have had the same under consideration, and respectfully report the same back, and recommend that the Senate concur in the same.

Also: Senate Bill No. 333—An Act to amend section three hundred and twenty-one of the Penal Code of California, relating to lotteries and lottery tickets.

Also: Senate Bill No. 396—An Act to amend section one hundred and seventy-two of the Civil Code of the State of California, relating to the husband's control and disposition of the community property.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

McGOWAN, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 208—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARPENTER, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Voorheis: Senate Bill No. 639—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books for the forty-fourth fiscal year.

Referred to Committee on Finance.

SENATE JOINT RESOLUTION.

By Senator Voorheis: Senate Joint Resolution No. 24—Relative to the free coinage of silver.

Senate Joint Resolution No. 24 read, and on motion of Senator Voorheis was placed on file for action without referring the same to a committee.

MOTION.

At four o'clock and twelve minutes P. M. Senator Berry moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Campbell, Denison, Dunn, Gesford, Goucher, Harp, McAllister, and Orr—10.

NOES—Messrs. Broderick, Burke, Earl, Everett, Fay, Flint, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, and Williams—22.

SECOND READING OF BILL—(RESUMED).

Senate Bill No. 293.

MOTION.

At four o'clock and sixteen minutes P. M. Senator Berry moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Denison, Dunn, Flint, Hoyt, Langford, Mathews, Ostrom, Seawell, Shippee, Whitehurst, and Wilson—13.

NOES—Messrs. Arms, Bailey, Broderick, Burke, Campbell, Everett, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, and Williams—21.

SECOND READING OF BILL—(RESUMED).

Senate Bill No. 293.

MOTION.

At four o'clock and twenty-one minutes p. m. Senator Burke moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Fay, Ford, Gesford, Goucher, Harp, Langford, Mathews, Orr, Ostrom, Seawell, Shippee, Whitehurst, and Wilson—16.

NOES—Messrs. Arms, Bailey, Broderick, Campbell, Denison, Dunn, Earl, Everett, Hoyt, McAllister, McGowan, Maher, Mahoney, Mitchell, Ragsdale, Seymour, Simpson, Streeter, and Williams—19.

The second reading of Senate Bill No. 293 was then completed.

Senator Berry offered the following amendment:

Amend by striking out section three.

Adopted.

Bill as amended ordered to print, engrossment, and on file for third reading.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that he would to-morrow move a reconsideration of the vote whereby Senate Bill No. 293 was ordered printed, engrossed, and to a third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 417—An Act to provide for the care and treatment of inebriates, acute insane persons, and victims of opium or other drug habits—have had the same under consideration, and respectfully report the same back, and recommend the passage of the substitute therefor, which is herewith presented.

Also: Senate Bill No. 16—An Act to prohibit prize fighting and pugilistic sport—have had the same under consideration, and respectfully report the same back, and recommend that there be substituted therefor the engrossed Assembly Bill, to wit: Substitute for Assembly Bill No. 144.

HART, Chairman.

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 573—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MAHER, Chairman.

MOTION.

At four o'clock and thirty minutes p. m. Senator Maher moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Burke, Denison, Langford, Martin, Mitchell, Seawell, and Wilson—8.

NOES—Messrs. Arms, Berry, Biggy, Broderick, Campbell, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Orr, Seymour, Simpson, Whitehurst, and Williams—22.

LEAVE OF ABSENCE.

At four o'clock and forty-one minutes P. M., on motion of Senator Denison, the Committee on Counties and County Boundaries was excused for the day.

Senator Hoyt was granted a leave of absence for the balance of the day.

GENERAL FILE—SECOND READING OF BILLS.

Substitute for Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

Passed on file.

Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

The following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 35.

An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The salary of every officer of every city, or city and county, of this State having a population of over one hundred thousand inhabitants, as such salary now is or hereafter shall be fixed by law, shall be in full payment and compensation for all services performed by such officer in any official capacity whatever; *provided*, that in case any official is now or shall hereafter be allowed by law, as compensation for his official services, a salary of less than one thousand dollars per annum, and the fees of his office, such compensation, *viz*: the salary of less than one thousand dollars per annum and the fees of his office, shall be in full payment and compensation for all services performed by such officer.

SEC. 2. Such salaried officers shall not receive or accept any fee, payment, or compensation whatever, directly or indirectly, for any services performed by them in their official capacity, nor any fee, payment, or compensation, for any official service performed by any of their deputies, clerks, or employés, whether performed during or after official business hours; nor shall any deputy, clerk, or employé of such officers receive or accept any fee, compensation, or payment, other than their salaries as now or hereafter fixed by law, for any work or service performed by them of any official nature, or under color of office, whether performed during or after official business hours.

SEC. 3. In all such cities, or cities and counties of this State, every fee, commission, percentage, allowance, or other compensation whatever, authorized by law to be charged, received, or collected by any officer thereof for any official service, except the salary allowed by law, payable from the treasury of such city, or city and county, must be paid by the person for whom such service is performed to the Treasurer of such city, or city and county, in the manner herein provided.

SEC. 4. It shall be the duty of every officer of such cities, or cities and counties, authorized by law to charge, receive, or collect any fee, commission, percentage, allowance, or compensation whatever, for the performance of any official service or duty of any kind or nature, or rendered in any official capacity, or by reason of any official duty or employment whatsoever, to deliver to the person requiring such service or duty a certificate, in writing, signed by such officer, which shall certify the nature of the official service to be performed and the amount of the fee, commission, percentage, allowance, or compensation allowed by law therefor. The person receiving such certificate shall deliver the same to the Treasurer of such city, or city and county, and shall pay to such Treasurer the amount named in such certificate, and thereupon such Treasurer shall deliver to such person a receipt for the money so paid, which shall show the amount of money received, the day and hour when paid, the name of the person paying the same, the nature of the service to be performed, and the name and official designation of the person by whom the service is to be performed; and like entries shall be made upon the stub of such receipt, which shall be kept by such Treasurer. Upon the delivery of such Treasurer's receipt to the officer therein designated, such officer shall deliver to such person a certificate containing the same items as appear in such receipt, and acknowledging the delivery to him of such receipt, and the day and hour the same was delivered to him, and such officer shall thereupon perform the service or duty in such receipt

described, as required by law. The Treasurer shall place all such moneys so received by him to a fund to be designated the "Unapportioned Fee Fund," which is hereby created, and shall keep such fund as other funds in the treasury are kept, and shall be liable on his official bond for all money so received.

SEC. 5. The Auditor or other proper officer of such city, or city and county, must prepare and deliver, from time to time, to the Treasurer, and to every officer of such city, or city and county, authorized by law to charge any fee, commission, percentage, allowance, or compensation whatsoever, for the performance of any official service or duty of any kind or nature, as many official certificates and receipts as may be required, charging the Treasurer or other officer receiving them therewith. Such official certificates and receipts must be bound into books containing not less than one hundred such certificates or receipts, and numbered consecutively, beginning with number one in each class required for each officer for each fiscal year, and provided with a stub corresponding in number with each certificate and receipt. When the books containing such certificates and receipts are exhausted by the officer receiving them, he shall return the stubs thereof to the Auditor or other proper officer, in whose custody they shall remain thereafter.

SEC. 6. When a receipt as herein provided is issued by the Treasurer of such city, or city and county, he must state therein the date of payment, the name of the person making the payment, and the amount of such payment, and the nature of the service for which the charge is made, and the name and official designation of the officer performing the service, and shall make corresponding entries on the stub of such receipt.

SEC. 7. Whenever any certificate or receipt is issued by an officer of such city, or city and county, other than the Treasurer thereof as herein provided, he shall state therein the day and hour of the delivery to him of the Treasurer's receipt, the nature of the service therein described, and the amount charged therefor, and the name of the person by whom such receipt is delivered to him, and shall make corresponding entries on the stub to which such certificate or receipt is attached.

SEC. 8. On the first day of each month the Treasurer of such city, or city and county, must make to the Auditor, or other proper officer thereof, a report, under oath, of all moneys received by him as provided in this Act, during the preceding month, showing the date and number of the certificate on which the money was received, the amount of each payment, and by whom paid, and the nature of the service, and the name and official designation of the officer performing the service; and at the same time, or oftener, if required by the Auditor so to do, exhibit to the Auditor all official certificates received by him during the previous month, and all official receipts remaining in his hands, unused or not issued, at the close of business on the last day of the preceding month.

SEC. 9. On the first day of each month, every officer of such city, or city and county, authorized by law to charge any fee, commission, percentage, allowance, or compensation whatsoever, must make to the Auditor a report, under oath, of all official certificates and receipts issued by him during the preceding month, showing the date and number of each certificate and receipt, to whom issued, the nature of the service for which the charge was made, and the amount of such charge; and must at the same time exhibit to the Auditor, or other proper officer, or oftener, if required so to do, all Treasurer's receipts deposited with him during the preceding month, and all official certificates and receipts remaining in his hands, unused or not issued, at the close of business on the last day of each preceding month.

SEC. 10. Upon receiving the reports prescribed by sections eight and nine of this Act, the Auditor or other proper officer of such city, or city and county, shall examine and settle the accounts of each officer thereof, and apportion such moneys to the fund or funds to which it is appropriated by law, and certify such apportionment to the Treasurer, who shall thereupon transfer from the "Unapportioned Fee Fund" the amounts so certified, and credit each fund entitled thereto with the proper amounts so apportioned.

SEC. 11. Every such officer of said cities, or cities and counties, who is by law allowed to charge and collect mileage for the service of process, and for like service, shall, at the end of each month, prepare and deliver to the Auditor, or other proper officer of such city, or city and county, a statement showing each process served, the title of the cause, the name of the deputy or other subordinate officer by whom served, the number of miles actually traveled in making such service, the exact day when such service was made, and between what hours of said day, which statement shall be verified by the oath of such officer. Such Auditor, or other proper officer of such city, or city and county, shall thereupon have the power, and he is directed to examine such statement, and issue his warrant upon the Treasurer of such city, or city and county, for such amount of money as shall in his judgment fully reimburse such officer for his lawful expenses in making such services, and such warrant shall be paid by such Treasurer without further approval, out of the "Unapportioned Fee Fund;" but no extra mileage shall be charged or allowed for service of two or more processes served on the same trip, by the same deputy or deputies, except for extra mileage actually traveled in serving the additional process, and all mileage charged in violation of this section shall be disallowed by such Auditor, or other proper officer, and all amounts disallowed for any reason shall be apportioned to the General Fund of such city, or city and county. Any officer of said cities, or cities and counties, who during the preceding month performed any service for which he is expressly authorized by law to employ a person, at a certain or stated per diem fixed by law, to perform such service other than his regular deputies or other assistants, whose salaries are paid from the public treasury of such city, or city and county, and a person is so employed, and a

service is actually performed by such person, and the charge therefor has been paid to the Treasurer for the service of the person so employed; such officer shall, at the end of each month, prepare and deliver to the Auditor, or other proper officer of such city, or city and county, a statement, showing the case or instance in which such service was performed, and for whom performed, the name of the person so employed, and by whom the service was performed, the amount of the charge therefor, the time actually employed in performing such service, and the dates of the beginning and ending of the period during which such person was so employed in performing such service, which statement shall be verified by the oath of such officer. Such Auditor, or other proper officer, shall thereupon examine such statement, and if he finds the same to be correct, he shall audit and allow the verified demand of such person so employed and performing the service, for the sum or sums so earned by him and paid to the Treasurer for such service, and the Treasurer shall pay such demand so audited and allowed, without further approval, out of the "Unapportioned Fee Fund."

SEC. 12. This Act shall not apply to any payment required to be made on account of the levy or collection or delinquency of any tax upon property, or any poll tax, nor for any city, or city and county license, but all such moneys shall be paid to and shall be accounted for in the same manner and by the same officers as are now required by law to charge, receive, collect, or account for the same.

SEC. 13. All Acts or parts of Acts, in so far as they conflict with the provisions of this Act, are hereby repealed.

SEC. 14. This Act shall take effect and be in force from and after the first day of July, eighteen hundred and ninety-three.

MOTION.

During the reading of Substitute for Senate Bill No. 35, at four o'clock and forty-one minutes p. m., Senator Mahoney moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Biggy, Denison, Earl, Everett, Hart, Maher, Mahoney, Mitchell, Orr, Ragsdale, Whitehurst, and Wilson—13.

NOES—Messrs. Arms, Berry, Broderick, Burke, Campbell, Dunn, Fay, Flint, Ford, Gesford, McAllister, McGowan, Mathews, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—20.

The second reading of Substitute for Senate Bill No. 35 was then completed.

Senator Seawell moved that Substitute for Senate Bill No. 35 be referred to the Committee on Judiciary, said committee to ascertain and report on its constitutionality.

So ordered.

LEAVE OF ABSENCE.

On motions of Senators Flint and Everett, respectively, the Committees on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, and Public Buildings other than Prison Buildings, were granted a leave of absence for the day.

ADJOURNMENT.

At four o'clock and fifty-two minutes p. m. Senator Williams moved to adjourn.

The roll was called, with the following result:

AYES—Messrs. Earl, Maher, Mitchell, Ragsdale, Seymour, Shippee, and Simpson—7.

NOES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Dunn, Fay, Gesford, McGowan, and Ostrom—11.

It appearing from the roll call that no quorum was present and voting, the President thereupon declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Thursday, February 9, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Ragsdale.

LEAVE OF ABSENCE.

Senator Carpenter was granted leave of absence for the day, on motion of Senator Maher.

SPECIAL ORDER—IMMEDIATELY AFTER READING OF JOURNAL.

Senator Burke, in compliance with his notice given yesterday to move a reconsideration of the vote whereby Senate Bill No. 207 was passed, moved that the vote be reconsidered.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—MESSRS. ARMS, BERRY, BIGGY, BURKE, DENISON, DUNN, EARL, EVERETT, FAY, GESFORD, HARP, HOYT, LANGFORD, McALLISTER, MCGOWAN, MAHER, MITCHELL, OSTROM, RAGSDALE, SEYMOUR, SHIPPEE, STREETER, VORHEIS, and WHITEHURST—24.

NOES—MESSRS. BAILEY, BRODERICK, CAMPBELL, FORD, GOUCHER, HART, MARTIN, MATHIEWS, ORR, SEAWELL, SIMPSON, WILLIAMS, and WILSON—13.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

MOTION.

Senator Ford moved that Senate Bill No. 207 be re-referred to the Committee on Judiciary, but that it retain its place on file.

So ordered. *

Senator Seymour asked unanimous consent to withdraw his notice of reconsideration of the vote whereby Senate Bill No. 131 was finally passed.

Permission granted, and notice withdrawn.

On motion of Senator Goucher, the consideration of Senate Bill No. 198, not yet reported back engrossed, set as a special order for eleven o'clock A. M. this day, was postponed until eleven o'clock and forty-five minutes A. M. this day.

RESOLUTION.

By Senator Ragsdale:

Resolved, That Senate Bill No. 569 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 569 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Everett, Fay, Ford, Gesford, Goucher, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, and Wilson—28.

NOES—Messrs. Harp and Whitehurst—2.

CASE OF URGENCY.

Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Read first, second, and third times, and refused passage by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Earl, Everett, Ford, Hart, Hoyt, Maher, Ragsdale, Simpson, Williams, and Wilson—13.

NOES—Messrs. Berry, Biggy, Burke, Campbell, Denison, Dunn, Fay, Gesford, Harp, Langford, McAllister, McGowan, Mathews, Mitchell, Orr, Ostrom, Seymour, and Whitehurst—18.

RESOLUTION.

By Senator Ford:

Resolved, That Senate Bill No. 50 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 50 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—32.

NOES—Mr. Ostrom—1.

CASE OF URGENCY.

Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two, of said Code, concerning the manner of conducting the business of hydraulic mining.

During the second reading Senator Ostrom moved to amend section one thousand four hundred and twenty-four by striking out the word "material" in line five.

At eleven o'clock and forty-four minutes A. M., on motion of Senator Goucher, the special order set for consideration at eleven o'clock and forty-five minutes A. M. was reset for consideration at one o'clock and thirty minutes P. M. this day.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragdsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

MOTION.

Senator Goucher moved that Rule VII be suspended for the day, and that Senate Bill No. 50, being discussed when recess was declared, be further considered immediately upon the disposal of the special order set for this hour, viz.: Senate Bill No. 198.

The roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—32.

NOES—None.

Whereupon, the President declared Rule VII suspended for the day, and the further consideration of Senate Bill No. 50 set to follow the special order for one o'clock and thirty minutes P. M. this day.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly reengrossed: Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

Mr. PARSONS: Your committee on Preamble and Resolutions, Sirs, beg leave to report that the following Senate Bills have been favorably reported:

Senate Bill No. 147—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish three public libraries."

Also Senate Bill No. 24—An Act to amend an Act approved "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 10, 1892.

Also Senate Bill No. 40—An Act to amend section two thousand nine hundred and fifty-four of the Civil Code of the State of California, relating to mortgages of personal property.

Also Senate Bill No. 228—An Act to compel savings banks to publish a sworn statement of all assets and liabilities.

Also Senate Bill No. 240—An Act to establish the State Insurance Construction Fund, and to amend the transfer of any balance remaining therein to the General Fund.

Also Senate Bill No. 262—An Act withdrawing the allowance, settlement, and payment of claims of soldiers against the State.

Also Senate Bill No. 160—An Act to prevent the use of fraudulent marks on merchandise.

Also Senate Bill No. 314—An Act empowering the State Board of Capital Commissioners to appoint two extra employees for the Capital grounds, in addition to the number now employed, and to expend all appropriated for payment of their services for the remainder of the current fiscal year.

Also Senate Bill No. 321—An Act to amend an Act entitled "An Act creating a Board of Public Commissioners and prescribing their duties and powers," approved March 26, 1875, and amended March 14, 1887.

Also Senate Bill No. 320—An Act to amend section one thousand seven hundred and eighty-one of the Code of Civil Procedure.

Also Senate Bill No. 378—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-one of the Statutes at Large of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to amend sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Statutes at Large.

RAGSDALE, Chairman.

SPECIAL ORDER—THIRD READING OF BILL.

Senate Bill No. 138—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization, and election of officers, and to classify said county.

Read third time.

On motion of Senator Ragdale, the consideration of Senate Bill No. 116, set as a special order for two o'clock p. m. this day, was reset as a special order for consideration at three o'clock and thirty minutes p. m. on Tuesday next, February 14, 1893.

CALL OF THE SENATE.

Senator Biggy moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Ames, Butler, Berry, Biggy, Braden, Burke, Cameron, Jackson, Ford, Earl, Brown, Fox, Felt, Gilbert, Gorman, Hay, Hunt, Langford, Mendocino, Monahan, Moore, Williams, Martin, Mayne, Mitchell, Orr, Patton, Ragdale, Seaton, Seymour, Shaffer, Steiner, Thomas, Whitmore, Williams, and Wilson.

The President directed the Sergeant-at-Arms to close the doors of the Senate.

The Secretary announced that the only absence was Senator Simpson.

Senator Campbell moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

CONSIDERATION OF SENATE BILL No. 198—(RESUMED).

The question being on the final passage of the bill, the roll was called, and Senate Bill No. 198 finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—39.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Campbell gave notice that he, on to-morrow, would move a reconsideration of the vote whereby Senate Bill No. 569 was this day refused final passage.

SECOND READING OF SENATE BILL No. 50—(RESUMED).

Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

The question being on the amendment offered by Senator Ostrom, viz.:

Amend section one thousand four hundred and twenty-four by striking out the word "material" in line five.

AYES AND NOES.

The ayes and noes were demanded by Senators Ostrom, Maher, and Broderick.

The roll was called, and the motion to amend lost by the following vote:

AYES—Messrs. Hart, Langford, and Ostrom—3.

NOES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—32.

The further reading of Senate Bill No. 50 was then proceeded with.

Senator Ostrom moved to amend section one thousand four hundred and twenty-five by inserting after the word "bank," in line eight, the following:

Or earth loosened by artificial means from a natural bank, or a flow of water over or upon a natural bank.

POSTPONEMENT.

At three o'clock and twenty-six minutes P. M., on motion of Senator Ford, the consideration of Senate Bill No. 155, the special order set for three o'clock and thirty minutes P. M. this day, was reset as a special order for consideration immediately after the disposal of Senate Bill No. 50, now under discussion.

The roll was then called on the motion of Senator Ostrom to amend section one thousand four hundred and twenty-five, and the motion lost by the following vote:

AYES—Messrs. Burke, Earl, Fay, Hart, Langford, Ostrom, and Whitehurst—7.

NOES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Denison, Dunn, Everett, Flint, Ford, Gesford, Goucher, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—29.

Second reading of Senate Bill No. 50 completed, considered engrossed, and ordered to a third reading.

THIRD READING OF BILL.

Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—37.

NOES—Mr. Ostrom—1.

Title read, and on motion of Senator Ford was amended as follows:

Strike therefrom the words "the Civil Code" and insert in lieu thereof the following words: "An Act entitled an Act to establish a Civil Code, approved March 21, 1872."

Title, as amended, approved.

Bill ordered reëngrossed.

SPECIAL ORDER—FIRST READING OF BILL.

Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Read first time, and on motion of Senator Wilson, made a special order for to-morrow at ten o'clock and thirty minutes A. M.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

RAGSDALE, Chairman.

REQUEST.

Senator Seawell stated that he would not this day offer any resolution which presented a case of urgency, and called the attention of the

Senate to the fact that Senate Bill No. 122, which was already so declared, was on the third reading file, and that he would ask of the Senate that he have permission to call it up at any time.

Unanimous consent given.

MOTIONS.

On motion of Senator Goucher, indorsed by Senator Mathews, the orders for the motions to-day to reconsider the votes whereby Senate Bill No. 293 was ordered printed, engrossed, and to a third reading, and the refusal of the Senate to strike out enacting clause on yesterday, was postponed until to-morrow, when it shall be considered a special order at eleven o'clock A. M.

On motion of Senator Maher the order for the motion to-day to reconsider the vote whereby Senate Bill No. 250 was on yesterday refused final passage, was postponed until eleven o'clock A. M. to-morrow, when it shall be considered a special order.

RESOLUTION.

By Senator Maher:

Resolved, That Senate Bill No. 573 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 573 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—None.

CASE OF URGENCY—FIRST AND SECOND READINGS OF BILL.

Senate Bill No. 573—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878.

Read first and second times.

The following committee amendment was adopted:

Amend by striking out all of section three.

Bill considered engrossed.

THIRD READING OF BILL.

Senate Bill No. 573 read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—33.

NOES—None.

Title read and approved.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced by Senator Goucher, read by title, and ordered on file without reference to committee, by unanimous consent of the Senate:

Senate Bill No. 640—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

RESOLUTION.

By Senator McAllister:

Resolved, That Assembly Bill No. 50 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 50 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Biggy, Burke, Campbell, Denison, Earl, Fay, Flint, Ford, Gesford, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—30.

NOES—Messrs. Arms and Dunn—2.

CASE OF URGENCY.

Assembly Bill No. 50—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Bill read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Fay, Gesford, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Simpson, Whitehurst, and Williams—27.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Senator Langford was granted leave of absence for the balance of the week.

RESOLUTION.

By Senator Broderick:

Resolved, That Senate Bill No. 7 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 7 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Everett, Flint, Ford, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, and Williams—29.

NOES—Messrs. Campbell and Fay—2.

CASE OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties in this State to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

The following committee amendments were adopted:

Amend by striking out of section one, line five, printed bill, the words "less than," and all after the word "drainage" in line six of printed bill down to the word "more."

Also: Amend by striking out of section two, line two, printed bill, the words "in the manner now provided by law," and inserting in lieu thereof the following: "by the Board of Health or Health Officer."

Bill ordered printed and reengrossed and on file for third reading.

RESOLUTION.

By Senator Williams:

Resolved, That Substitute for Senate Bill No. 137 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Substitute for Senate Bill No. 137 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—29.

NOES—Messrs. Ostrom and Wilson—2.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

Bill read second and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—30.

NOES—Messrs. Ostrom and Wilson—2.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 24—An Act to provide one additional Judge of the Superior Court of the county of Alameda.

Also: Senate Bill No. 215—An Act to amend an Act entitled "An Act to amend section seven of the Civil Code, relating to holidays," approved March 1, 1889.

Also: Senate Bill No. 217—An Act to amend an Act entitled "An Act to amend section ten of the Political Code, relating to legal holidays," approved March 1, 1889.

Also: Senate Bill No. 5—An Act providing for the selection and condemnation and purchase of a suitable site, and the erection thereon of a State building, in San Francisco.

Also: Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Also: Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Also: Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of Code of Civil Procedure, in relation to appraisement of estates of deceased persons.

Also: Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Also: Senate Bill No. 184—An Act to amend an Act entitled "An Act to amend sections ten and one hundred and thirty-four of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to holidays and non-judicial days," approved March 1, 1889.

Also: Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Also: Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

RAGSDALE, Chairman.

MOTION.

At four o'clock and forty-four minutes p. m. Senator Bailey moved to adjourn.

The vote being a tie (12 to 12) the President declared the motion lost.

RESOLUTION.

By Senator Gesford:

Resolved, That Senate Bill No. 221 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 221 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Whitehurst, and Wilson—27.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Hoyt, McAllister, McGowan, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Whitehurst, and Wilson—26.

NOES—Mr. Burke—1.

Title read and approved.

RESOLUTION.

By Senator Whitehurst:

Resolved, That Senate Bill No. 538 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 538 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hoyt, McAllister, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—28.
NOES—None.

CASE OF URGENCY.

Senate Bill No. 538—An Act to repeal an Act entitled “An Act concerning corporations and persons engaged in the business of banking,” approved April 1, 1876.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Denison, Earl, Fay, Ford, Harp, Hoyt, McAllister, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—21.
NOES—None.

Title read and approved.

MOTION.

At five o'clock p. m. Senator Simpson moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arms, Bailey, Burke, Campbell, Everett, Fay, Flint, Harp, Mahoney, Martin, and Mitchell—11.

NOES—Messrs. Berry, Biggy, Broderick, Denison, Earl, Ford, Gesford, Goucher, Hoyt, McAllister, McGowan, Maher, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—20.

RESOLUTION.

By Senator Earl:

Resolved, That Senate Bill No. 28 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 28 declared a case of urgency by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 28—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Fay, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Seawell, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—28.
NOES—None.

Title read and approved.

ADJOURNMENT.

At five o'clock and nine minutes P. M., on motion of Senator Everett, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 10, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

APPROVAL OF JOURNALS.

The Journals of Monday, February 6th, Tuesday, February 7th, Wednesday, February 8th, Thursday, February 9th, were then approved.

NOTICE TO AMEND RULES.

Senator Mathews gave notice that he will on to-morrow move to amend the rules by striking out Rule No. 8½.

Senator Seawell, in accordance with his request made yesterday, called up for consideration Senate Bill No. 122.

THIRD READING OF BILL.

Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—36.

NOES—None.

Title read and approved.

PRESENTATION OF PETITIONS.

A communication was read from the Federated Trades Council of Sacramento, relative to a proposition of the Commercial Publishing Company to do State printing.

Referred to Committee on Public Printing.

Senator Ostrom presented seven petitions from citizens of the State, relative to disposition of community property.

Also, a resolution from Petaluma Grange No. 23, Patrons of Husbandry, relative to same subject.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Senator Ostrom also presented a resolution of Butte Grange No. 225 and Petaluma Grange No. 23, Patrons of Husbandry, relative to present system of printing school books in this State.

Referred to Committee on Education and Public Morals.

LEAVE OF ABSENCE.

Senator Carpenter was granted leave of absence for the day, on motion of Senator Maher.

MOTION.

Senator Voorheis moved a temporary suspension of the rules for the purpose of introducing a joint resolution.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Biggy, Broderick, Denison, Fay, Ford, Goucher, McGowan, Maher, Mahoney, Martin, Mitchell, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—19.

NOES—Messrs. Arms, Bailey, Burke, Campbell, Dunn, Earl, Gesford, Harp, Hoyt, McAllister, Mathews, Ostrom, and Whitehurst—13.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Read second time, and ordered to engrossment and to a third reading,

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 610—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying committee substitute bill for the same do pass.

Also: Senate Bill No. 464—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Also: Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Joint Resolution No. 19—Relative to a public building at Visalia.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

EVERETT, Chairman.

Senate Bills Nos. 464 and 481 re-referred to Committee on Finance.

Assembly Joint Resolution No. 19 referred to Committee on Federal Relations.

THE SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 549—An Act to provide for the election and term of office and salary of Justices of the Peace in all counties and cities and counties having a population of more than two hundred thousand—have had the same under consideration, and respectfully report the same back without recommendation.

MAHER, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 296—An Act for the relief of Charles F. Wells, and to appropriate money therefor—have considered and amended the same, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan as approved by the State Board of Examiners—respectfully report that they have amended the same by striking out the words "seventy-nine thousand dollars" and inserting the words "fifty-three thousand dollars," and recommend that it do pass as amended.

Also: Senate Bill No. 332—An Act to authorize the acquisition by donation of a site for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 595—An Act to provide for the purchase of a furnished residence for the Governor of California.

Also: Senate Bill No. 576—An Act making an appropriation for enlarging fire-proof warehouse for use of State Printing Department.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Public Buildings other than Prison Buildings.

Also: Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Also: Senate Bill No. 235—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 320—An Act appropriating twenty thousand dollars for erection and construction of a sewer for Agnew's Insane Asylum.

Also: Substitute for Senate Bill No. 418—An Act to provide for payment of principal and interest due on certain Controller's warrants drawn on the War Loan Fund of the State Treasury, and making an appropriation therefor.

Also: Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Also: Senate Bill No. 180—An Act to appropriate money to pay the claim of Mrs. Catherine Boyle.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 21—An Act to create the office of Commissioner of Horticultural Statistics, and appropriate money for his salary and expenses.

Also: Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers in the harbor of San Diego.

Also: Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money for the same.

Also: Senate Bill No. 360—An Act making an appropriation to pay claims of J. L. Cooke and William Gutenberger.

Also: Senate Bill No. 361—An Act for relief of J. P. Chapman & Co. for damage.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 265—An Act to provide for the payment of thirteen thousand seven hundred and twenty-two dollars and twenty-one cents to Wm. H. Thornley, salary due him.

Also: Senate Bill No. 266—An Act to provide for the payment of the sum of two thousand five hundred dollars to Wm. H. Thornley, salary due him.

Also: Senate Bill No. 408—An Act to provide for payment of the claim of C. C. Rochford.

Also: Senate Bill No. 260—An Act making appropriation to pay armory rents and other expenses of Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Also: Senate Bill No. 295—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Also: Senate Bill No. 529—An Act to make appropriation to pay traveling expenses of Attorney-General in attending to criminal cases.

Also: Senate Bill No. 450—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties and making an appropriation therefor.

Also: Substitute for Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

Also: Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use and for which no compensation has been made.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 570—An Act appropriating money to pay the claim of John Mullan for services rendered by him for this State.

Also: Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 617—An Act to pay the claim of Michael Denzer against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 420—An Act to make appropriation to pay claim of R. B. Young.

Also: Senate Bill No. 606—An Act relative to the claim of A. J. Bourn against the State of California, and making appropriation therefor.

Also: Senate Bill No. 614—An Act to pay claim of Abraham Winans against State of California, and making an appropriation therefor.

Also: Senate Bill No. 623—An Act making an appropriation to pay deficiency in appropriation for the State Board of Forestry.

Have had the same under consideration, and respectfully report the same back, and recommend that they be re-referred to the Committee on Claims.

Also: Senate Bill No. 147—An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 233—An Act to provide for the payment of advertising constitutional amendments—have had the same under consideration, and respectfully report the same back, amended, and recommend that it do pass as amended by the Finance Committee.

Also: Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders for the forty-third fiscal year.

Also: Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of "An Act to prohibit the coming of Chinese persons into the State," approved March 20, 1891.

Also: Senate Bill No. 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine, relating to State Reform School for Juvenile Offenders.

Also: Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Also: Senate Bill No. 506—An Act relative to State Board of Examiners.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 135—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest for the fortieth, forty-first, forty-second, and forty-third fiscal years—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 309—An Act to provide for planting a row of trees around the

Capitol grounds—recommend that the title be amended by adding the words “and to make an appropriation therefor,” and report the bill back without other recommendation.

Also: Senate Bill No. 594—An Act to appropriate money to pay the claim of Charlotte M. Holman—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Claims.

Also: Assembly Bill No. 1—An Act making an appropriation to pay the deficiency for fuel, lights, and supplies for the Legislature and State officers for the forty-second fiscal year.

Also: Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses of the Board of Examiners for the forty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

Senate Bills No. 595 and 576 re-referred to Committee on Public Buildings other than Prison Buildings.

Senate Bills No. 570, 615, 617, 420, 606, 614, 623, and 594 re-referred to Committee on Claims.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass.

HOYT, Chairman.

MOTION.

At ten o'clock and fifty minutes A. M., Senator Campbell moved that the special orders already set for consideration at eleven o'clock this day, be postponed for consideration until after “Introduction of Bills” be passed in the regular order of business.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 395—An Act to amend section one hundred and ninety-four of an Act entitled “An Act to establish a uniform system of county and township governments,” approved March 31, 1891, relating to the fees and compensation of officers of counties of the thirty-second class—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County Government and Township Organization.

Also: Senate Bill No. 559—An Act to amend sections two thousand six hundred and thirty-eight and two thousand five hundred and ninety-six of the Civil Code, relative to insurance policies.

Also: Senate Bill No. 488—An Act to amend section four of an Act entitled “An Act authorizing the incurring of indebtedness by cities, towns, or municipal corporations incorporated under the laws of this State,” approved March 15, 1887.

Also: Senate Bill No. 37—An Act to amend section ten of “An Act to create a Police Court in and for the City and County of San Francisco, State of California,” approved March 5, 1889.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 528—An Act to amend section one hundred and sixty-three of an Act entitled “An Act to establish a uniform system of county and township governments,” approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

Senate Bill No. 395 re-referred to Committee on County Government and Township Organization.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 7, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 14 have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

MOTION.

On motion of Senator Berry, Senate Constitutional Amendment No. 14 was read.

SENATE CONSTITUTIONAL AMENDMENT No. 14.

A resolution proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session, commencing on the second day of January, A. D. eighteen hundred and ninety-three, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section three of article eleven of the Constitution of the State of California be amended to read as follows:

Section 3. The Legislature, by general and uniform laws, may provide for the formation of new counties; *provided, however,* that no new county shall be established which shall reduce any county to a population of less than eight thousand; nor shall a new county be formed containing a less population than five thousand; nor shall any line thereof pass within five miles of the county seat of any county proposed to be divided. Every county which shall be enlarged or created from territory taken from any other county or counties shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken.

Senator Berry moved the adoption of Senate Constitutional Amendment No. 14.

CALL OF THE SENATE.

Pending roll call, Senator Berry moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The President directed the Sergeant-at-Arms to close the doors of the Senate.

The Secretary announced that the only absentee was Senator Seawell.

Senator Berry moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The roll was then called on the adoption of Senate Constitutional Amendment No. 14, and the amendment adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—Messrs. Bailey and Orr—2.

MOTION.

At eleven o'clock and five minutes A. M., on motion of Senator Goucher, the following special orders this day reset for consideration

were reset for consideration at one o'clock and thirty minutes p. m. this day, viz.:

Reconsideration of the vote whereby Senate Bill No. 250 was defeated on February 8, 1893.

Reconsideration of the vote whereby the Senate refused to strike out the enacting clause of Senate Bill No. 293.

Reconsideration of the order whereby Senate Bill No. 293 was ordered engrossed and to third reading on February 8, 1893.

Reconsideration of the vote whereby Senate Bill No. 569 was defeated on February 9, 1893.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 15—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Substitute for Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass.

SIMPSON, Chairman.

THE SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MAHER, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following account:

SENATE CHAMBER, SACRAMENTO, February 6, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, having, on February 1st and 2d, instant, visited the Mendocino State Asylum for the Insane, located at Ukiah, and also the Home for the Care and Training of Feeble-Minded Children, located at Glen Ellen, under permission previously granted by the Senate, hereby submit their mileage account, and respectfully ask that the same be allowed, as follows:

Senator W. J. Biggy, 462 miles.....	\$46 20
Senator D. H. Everett, 462 miles.....	46 20
F. R. Tyrrell, Clerk, 462 miles.....	46 20
Total.....	\$138 60

EVERETT, Chairman.

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of D. H. Everett, the Chairman of the Committee on Public Buildings other than Prison Buildings, for the amount of one hundred and thirty-eight dollars and sixty

cents (\$138 60) for such mileage, and that such warrant be drawn upon the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend the passage of the accompanying resolution.

STREETER, Chairman.

Senator Maher moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby instructed to draw his warrant on the Contingent Fund of the Senate in favor of Miss Flora Vivian, for the sum of thirty dollars (\$30), being for services as Substitute Clerk of the Committee on Education and Public Morals during the necessary temporary absence of the clerk on leave.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the above resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McGowan, Maher, Martin, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—26.

NOES—None.

WITHDRAWAL OF BILL.

By unanimous consent of the Senate, Senator Ford withdrew Senate Bill No. 591.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 447—An Act making appropriation for payment of claim of A. L. Rhodes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

ON FORESTRY, YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FLINT, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 23—Relative to ownership and operation of railroads by the people—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WILLIAMS, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of February, passed Assembly Bill No. 8—An Act to promote the purity of elections.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 8 referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of February, passed Senate Bill No. 279—An Act to amend the Civil Code by adding to part four, division first, a new title, providing for the consolidation of colleges and institutions of higher education.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 279 ordered to enrollment.

REPORT OF JOINT COMMITTEE ON CLAIMS.

To the Senate and Assembly:

The Committees on Claims of the Senate and Assembly held several joint sessions for the purpose of considering Senate Bill No. 101 and Assembly Bill No. 52, providing for the relief of D. Jordan. The claim had been investigated, as a claim, at the twenty-seventh, twenty-eighth, and twenty-ninth sessions, all of which Legislatures had passed bills providing for Mr. Jordan's relief. Owing to various causes the respective Governors had refused to sign the bills so passed. The matter was finally laid before the State Board of Examiners, who approved the claim for \$79,000, which did not include any interest charge.

For the purpose of direct information your joint committee acted independently of all previous investigations and conclusions, and subpoenaed every competent witness available for the purpose of taking testimony. Those subpoenaed were ex-Prison Directors James A. Johnson and Thos. Beck; ex-Superintendent of Construction for the State James W. Duncan; ex-Foreman of the Work Daniel McHenry; Hon. A. P. Catlin, Hon. M. D. Boruck, and Hon. L. B. Adams.

Mr. Jordan's claim is based on the proposition that he completed one half of the Folsom Branch Prison under the regular contract, did a certain amount of extra work under a supplementary contract, and turned over to the State a plant of certain value; also, for \$11,819 34 for profits on completed work.

The testimony of Messrs. Johnson, Beck, Duncan, and McHenry was to the effect that Jordan had completed "from one third to more than one half of the work;" that he had worked nine months on the contract, and the State had carried it to completion in the six months following Jordan's retirement. There was also testimony establishing that Jordan had done extra work, the value of which was not definitely established, and that the State acquired possession of Jordan's plant, an inventory of which was filed with the joint committee. Mr. Beck testified that to his personal knowledge Jordan refused to sell his contract for \$20,000, which was corroborative of Mr. Jordan's testimony.

Judge Catlin read from an appendix to the Journal of the twenty-third session a report attacking the validity and justice of Jordan's claim. The report in question was not signed by any member of the Senate or Assembly investigating committee at that time, and therefore the statements it contained were not authenticated. That appendix does contain a report, signed by all the members of the committee, wherein a majority affirm that Jordan was badly and unfairly treated, and finally driven out of his contract by virtue of an unreasonable requisition made upon him, at the instance of the supervising architect, who had power to order the same, and a non-compliance with which would work a forfeiture of the contract. Compliance with the requisition in question was alleged by Jordan to have been a physical impossibility, and as an evidence of its unreasonableness the joint committee was cited to the fact that the requisition called for one million bricks; whereas, only about ten thousand bricks were called for by the plans and specifications, or used in the construction of the prison. At the time of that investigation Jordan had no claim before the Legislature, for the reason, as he alleged, that he intended to sue the State.

From all the testimony adduced, the joint committee, after considering the matter at three sessions, extending over a period of more than twenty days, decided to report against several items in Mr. Jordan's claim, and reduced the same from \$79,000 to

\$53,000, a cutting down of \$26,000 from the State Board of Examiners' figures, as approved. The bill is reported back, with the recommendation that it do pass as amended.

R. H. CAMPBELL,
Chairman Senate Committee on Claims.
THOS. W. BURKE,
Chairman Assembly Committee on Claims.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Everett: Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 642—An Act relative to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 643—An Act to amend section two hundred and seventy-two of the Penal Code, relative to the licensing of children in theatrical exhibitions.

Referred to Committee on Education and Public Morals.

By Senator Campbell: Senate Bill No. 644—An Act relating to the operation of railroads.

Referred to Committee on Corporations.

By Senator Arms: Senate Bill No. 645—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

Referred to Committee on Claims.

By Senator Earl: Senate Bill No. 646—An Act entitled an Act to forbid the manufacture and sale of cigarettes within the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 647—An Act entitled an Act to amend section one thousand one hundred and eighty-nine of the Civil Code of the State of California, relating to proof and acknowledgment of instruments.

Referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 648—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 649—An Act to amend section one thousand six hundred and sixteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 650—An Act to provide for the revision of certain books of the State series of school text-books, for the

compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Referred to Committee on Education and Public Morals.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Arms: Senate Constitutional Amendment No. 17—Proposing to the people of the State of California an amendment to section seven, article eleven, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

MOTION.

Senator Arms moved to pass in the regular order of business, temporarily, Rules VII, VIII, and IX, and proceed under Rule X.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Senator Ford:

Resolved, That the expense of telegraphing Senate Joint Resolution No. 16 to our Senators and Representatives at Washington, by the Governor, be paid out of the fund for the contingent expenses of the Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Harp, Hart, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—29.
NOES—None.

By Senator Arms:

Resolved, That a sub-committee of three from the Committee on Public Buildings other than Prison Buildings be granted a leave of absence to visit the Asylum for the Insane, located at San Bernardino, California.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—31.
NOES—Mr. Martin—1.

SUBSTITUTIONS.

Assembly Bill No. 8—An Act to promote the purity of elections.

On motion of Senator Ostrom, Assembly Bill No. 8 was substituted for Senate Bill No. 110 on the general file.

Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

On motion of Senator Simpson, Assembly Bill No. 269 was substituted for Senate Bill No. 260 on the general file.

Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department Number Four, and the appointment of a suitable person to act as Judge of said Court.

On motion of Senator Maher, Assembly Bill No. 45 was read first time and substituted for Senate Bill No. 85 on the general file.

RESOLUTION—(OUT OF ORDER).

By Senator Orr:

Resolved, That Noble Martin be and he is hereby added to the sub-committee of three on Public Buildings other than Prison Buildings, to visit the State Asylum for the Insane at San Bernardino, and is hereby granted leave of absence for that purpose.

Senator Orr moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, McAllister, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—Mr. Martin—1.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Passed on file temporarily, on motion of Senator McGowan.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

The bill having been read the third time on a previous day, the question was, "Shall the bill be finally passed?"

RECESS.

Pending discussion, the hour of twelve o'clock having arrived, the President declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REQUEST.

Senator Voorheis requested that Senate Bills Nos. 231, 322, 233, and 239 be re-referred to the Committee on Finance.

So ordered.

MOTION.

Senator Ostrom moved that Substitute for Senate Bills Nos. 157, 372, 373, and 441 be made a special order for to-morrow morning immediately after reading the Journal.

So ordered.

SPECIAL ORDERS.

The time having arrived for the consideration of the following special order, the President announced that he would rule on the following special order set for this hour:

Reconsideration of the vote whereby the Senate refused to strike out the enacting clause of Senate Bill No. 293.

He declared it out of order, and gave the following reasons: The bill is still before the Senate, it being on the second reading file, and any Senator was not, by any action so far taken in connection with the bill, prevented from making a similar motion to that which is asked to be reconsidered on the third reading of the bill on a future day. Further, that a reconsideration of any vote is permissible only when the measure or amendment voted on is passed, adopted, or defeated, and is a final action thereon; and for reasons embraced in the foregoing explanations, ruled the following also out of order, it having been set as a special order for consideration at this time:

Reconsideration of the order whereby Senate Bill No. 293 was ordered engrossed and to third reading on February 8, 1893.

MOTION.

Senator Maher moved to suspend Rule VII temporarily, for the purpose of considering the special orders set for this hour, and that the matter under consideration when a recess was this day declared be proceeded with immediately after consideration of the special orders.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Everett, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Williams, and Wilson—28.

NOES—None.

Senator Maher called up the special order set for this hour—reconsideration of the vote whereby Senate Bill No. 250 was defeated on February 8, 1893.

Senator Maher moved to reconsider the vote whereby Senate Bill No. 250 was refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Campbell, Everett, Fay, Flint, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—25.

NOES—Messrs. Berry, Dunn, Ostrom, Voorheis, and Wilson—5.

Senator Gesford called up the special order set for two o'clock P. M.—Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners.

Senator Gesford moved that the consideration of Assembly Concurrent Resolution No. 7 be postponed and made a special order for Tuesday next at two o'clock P. M.

So ordered.

CONSIDERATION OF SENATE BILL No. 250—(RESUMED).

The question being on the final passage of the bill.

Senator Seawell moved that Senate Bill No. 250 be recommitted to Senator Voorheis, as a special committee of one, with instructions to ascertain the amount due Mr. Murray up to the time the Supreme Court decided the Act, under which he was appointed, unconstitutional, and that they include in the amount all necessary expenses of Mr. Murray, incurred in the discharge of his duties as Superintendent of Ramie Culture up to that date, and that he report February 15, 1893, at two o'clock P. M.

The roll was called, and the motion to recommit carried by the following vote:

AYES—Messrs. Broderick, Burke, Campbell, Everett, Fay, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Mathews, Mitchell, Ragsdale, Seawell, Seymour, Shippee, Simpson, and Williams—19.

NOES—Messrs. Arms, Bailey, Berry, Biggy, Dunn, Gesford, McAllister, Ostrom, Streeter, Voorheis, and Wilson—11.

SPECIAL ORDER.

Senator Campbell called up the special order set for this hour—reconsideration of the vote whereby Senate Bill No. 569 was defeated on February 9, 1893.

Senator Campbell moved to reconsider the vote whereby Senate Bill No. 569 was refused passage.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Dunn, Fay, Flint, Gesford, Goucher, Harp, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Williams—25.

NOES—Messrs. Berry, Ostrom, Seymour, and Voorheis—4.

FINAL PASSAGE OF BILL.

Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Campbell, Everett, Fay, Flint, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, and Wilson—22.

NOES—Messrs. Berry, Biggy, Dunn, Gesford, Ostrom, Voorheis, and Whitehurst—7.

Title read and approved.

LEAVE OF ABSENCE.

Senator Denison was granted a leave of absence for the day, on motion of Senator Simpson.

CONSIDERATION OF SUBSTITUTE BILL—(RESUMED).

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, 140—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California

entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto.

The question being on the final passage of the substitute bill.

CALL OF THE SENATE.

The roll was called, and before the announcement of the result, Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The President directed the Sergeant-at-Arms to close the doors of the Senate.

The Secretary announced that the only absentees were Senators Earl and Goucher.

Senator Maher moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Broderick, Burke, Campbell, Flint, Hart, Maher, Mahoney, Orr, Ragsdale, Seawell, Seymour, Streeter, Whitehurst, and Wilson—14.

NOES—Messrs. Arms, Bailey, Berry, Biggy, Dunn, Everett, Fay, Gesford, Harp, Hoyt, McAllister, McGowan, Mathews, Mitchell, Ostrom, Shippee, Simpson, Voorheis, and Williams—19.

MOTION.

At two o'clock and forty-five minutes P. M. Senator Gesford moved to adjourn.

Lost.

Senator Gesford moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Fay, Gesford, Hart, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, and Whitehurst—18.

NOES—Messrs. Arms, Bailey, Campbell, Dunn, Everett, Flint, Harp, Hoyt, McGowan, Ostrom, Streeter, Voorheis, Williams, and Wilson—14.

ROLL CALL.

The roll was called on the final passage of Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140, which resulted as follows:

AYES—Messrs. Bailey, Burke, Hoyt, McAllister, McGowan, Mahoney, Mathews, Orr, Seawell, Voorheis, Whitehurst, and Wilson—12.

NOES—Messrs. Arms, Biggy, Broderick, Campbell, Dunn, Everett, Fay, Flint, Gesford, Harp, Hart, Maher, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, and Williams—20.

The President then announced that the substitute bill not having received the necessary affirmative vote, its final passage was refused.

NOTICE OF RECONSIDERATION.

Senator Gesford gave notice that he would, on to-morrow, move to reconsider the vote whereby Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140 was this day refused final passage.

At two o'clock and fifty minutes p. m. Senator Voorheis moved that Rule VII be suspended temporarily, for the purpose of taking up Assembly messages.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Dunn, Everett, Fay, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Streeter, Voorheis, and Wilson—21.

NOES—None.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

The bill having been read a third time on a previous day, the roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Dunn, Everett, Fay, Flint, Ford, Goucher, Harp, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—Mr. McAllister—1.

Title read and approved.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Passed on file.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Passed on file.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees,

and to provide the manner of their election, in cities of less than one hundred thousand population.

Passed on file, at request of the author.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Passed on file, at request of the author.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Passed on file.

At three o'clock P. M. Senator Voorheis moved to suspend Rule VII, for the purpose of considering Assembly messages.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Flint, Ford, Hoyt, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—Messrs. Burke, Everett, Fay, and McAllister—4.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the tenth day of February, passed and ordered immediately transmitted to the Senate, Assembly Bill No. 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town other than cities of the first class, to refund its indebtedness, issue bonds thereof, and provide for the payment of the same," approved March 15, 1883.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of February, passed Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Also: Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller, and payments into the State Treasury.

Also: Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Also: Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Also: Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Also: Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Also: Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Also: Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Also: Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General, in transcribing records and plat books in his office.

Also: Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

Also: Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Also: Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

On motion of Senator Mathews, Assembly Bill No. 287 was substituted on the file for Senate Bill No. 411, and ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds thereof, and provide for the payment of the same," approved March 15, 1883.

Read first time.

On motion of Senator Berry, Assembly Bill No. 186 was substituted on file for Senate Bill No. 197, and ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Read first time.

On motion of Senator Shippee, Assembly Bill No. 241 was substituted on file for Senate Bill No. 238, and ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller, and payments into the State Treasury.

Read first time.

On motion of Senator Hart, Assembly Bill No. 281 was ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Read first time.

On motion of Senator Flint, Assembly Bill No. 195 was substituted on file for Senate Bill No. 213, and ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Read first time.

On motion of Senator Maher, Assembly Bill No. 426 was ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Read first time.

On motion of Senator Maher, Assembly Bill No. 427 was ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read first time.

Assembly Bill No. 269 was, on motion, referred to the Committee on Finance, and substituted for Senate Bill No. 260.

Assembly Bills Nos. 127, 282, 460, 459, and 500 referred to Committee on Finance.

Assembly Bill No. 30 referred to Committee on Irrigation and Water Rights.

WITHDRAWAL OF BILLS.

By unanimous consent of the Senate the following bills were withdrawn:

Senate Bill No. 197, by Senator Berry.

Senate Bill No. 316, by Senator Hart.

Senate Bill No. 411, by Senator Mathews.

Senate Bill No. 238, by Senator Shippee.

LEAVE OF ABSENCE.

Senator McAllister and Minute Clerk Ray G. Falk were granted a leave of absence for to-morrow.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 573—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878.

Also: Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Also: Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

Also: Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Also: Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Also: Senate Bill No. 28—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Also: Senate Bill No. 50—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

Also: Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners, for the parole of and government of paroled prisoners.

Also: Senate Concurrent Resolution No. 5—Relative to Golden Gate Park Commissioners.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Joint Resolutions have been correctly enrolled:

Senate Joint Resolution No. 20—Relative to the classification of clerks in first and second class Post Offices, and fixing the salaries of the same.

Also: Senate Joint Resolution No. 16—Relative to annexation of Hawaiian Islands.

RAGSDALE, Chairman.

ADJOURNMENT.

At three o'clock and twenty-seven minutes p. m., on motion of Senator Maher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, February 11, 1893. }

The Senate met pursuant to adjournment, at ten o'clock a. m.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Biggy, Burke, Campbell, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Flint.

APPROVAL OF JOURNAL.

The Journal of Friday, February 10, 1893, was approved.

LEAVE OF ABSENCE.

On motion of Senators Mahoney, Simpson, Campbell, Harp, and Maher, a leave of absence for the day was granted, respectively, the following-named Senators: Broderick, Denison, Bailey, Earl, and Carpenter.

POSTPONEMENT.

On motion of Senator Ford, the special order set for consideration this day at ten o'clock A. M. was postponed until eleven o'clock this day.

COMMUNICATION.

The following communication was read:

THE TRANS-MISSISSIPPI CONGRESS, 110 SOUTH BROADWAY,
LOS ANGELES, CAL., February 4, 1893.

Lieutenant-Governor REDDICK, President of the Senate, and Senators of the State of California:

GENTLEMEN: A Congress of the Western States and Territories will meet at Ogden, Utah, on Monday, April 24th, of the present year. It is known as the Trans-Mississippi Congress, and has heretofore met at Galveston, Kansas City, Denver, Omaha, and New Orleans.

The territory embraced in the representation of this Congress is all that part of the United States west of the Mississippi River. The basis of representation authorizes the Governor of each State and Territory to appoint ten delegates; the County Judge, Board of Supervisors, or County Commissioners, as the case may be, to appoint one delegate from each county. The Mayor of all towns and cities one delegate for each 5,000 inhabitants or fractional part thereof. All commercial bodies in all towns and cities may appoint the same number as the Mayor. This last includes Chambers of Commerce, Real Estate Exchanges, and all similar commercial bodies. All transportation companies, whether rail or steamship, one delegate each.

The object of this Congress is to discuss all questions affecting the West that may be the subject of legislation at Washington, and to speak through its resolutions to the National Congress.

Hence, irrigation, arid land, silver, public lands, the policy of the Secretary of the Interior, Pacific and Gulf Coast defenses, and harbor improvements, and other important questions vitally affecting the interest of your State, come up in a body composed entirely of Western men.

You are respectfully invited to be present at the next session of the Congress, and as delegates, if selected in the manner above indicated, to take part in its proceedings.

Your attention is called to the importance of united action on the part of the West, concerning many features essential to its prosperity and advancement, and to the advantage of subsequently expressing these same wishes through your legislative bodies.

Respectfully,

L. BRADFORD PRINCE, President.
W. H. HARVEY, Chairman Executive Committee.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 9, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following account:

By Senator Campbell:

Resolved, That the sum of two hundred and forty-six dollars be and the same is hereby allowed and ordered paid out of the Contingent Fund of the Senate, to R. H. Campbell, for expenses incurred in the Jordan and Spelling cases, and the Controller is hereby directed to draw his warrant on the Treasurer in favor of R. H. Campbell for said claim.

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of R. H. Campbell, the Chairman of the Committee on Claims, for the amount of two hundred and eighty-six dollars, for expenses incurred in the Jordan and Spelling cases, and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back amended, with the accompanying resolution, and recommend its passage as amended.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Dunn, Fay, Flint, Gesford, Harp, Hoyt, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—22.

NOTES—None.

ON FORESTRY, YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 557—An Act for the protection of fish—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FLINT, Chairman,

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and appropriate money therefor.

Also: Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Assembly Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended in committee.

Also: Senate Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Also: Senate Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CAMPBELL, Chairman.

Also:

Witnesses before Committee on Claims.

SENATE CHAMBER, SACRAMENTO, January 30, 1893.

MR. PRESIDENT: By resolutions of Joint Committee of Senate and Assembly on Claims, it was ordered that J. W. Duncan, San Francisco, Cal., D. McHenry, San Francisco, Cal., James A. Johnson, San Francisco, Cal., M. D. Boruck, San Francisco, Cal., Thos. Beck, Watsonville, Cal., L. B. Adams, Woodland, Cal., J. J. Tobin, San Francisco, Cal., be paid mileage and per diem as follows:

J. W. Duncan 2 days, \$4; mileage, \$16 80.....	\$20 80
D. McHenry 2 days, \$4; mileage, \$16 80.....	20 80
Jas. A. Johnson 2 days, \$4; mileage, \$16 80.....	20 80
M. D. Boruck 2 days, \$4; mileage, \$16 80.....	20 80
Thos. Beck 2 days, \$4; mileage, \$4.....	45 00
L. B. Adams 2 days, \$4; mileage, \$4.....	8 00
J. J. Tobin 2 days, \$4; mileage, \$16 80.....	20 80
Thos. Rodgers, mileage on same.....	129 00

Total..... \$286 00

CAMPBELL, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 437—An Act to provide for the adjustment of the indebtedness and assets between any county that has been created, or may hereafter be created, and the county or counties from the territory of which such new county may be created.

Also: Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Also: Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Also: Senate Bill No. 633—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 161—An Act for the creation of a commission for the promotion of uniformity of legislation in the United States.

Also: Senate Bill No. 150—An Act to amend section three thousand seven hundred and fifty-one of the Political Code of this State, relating to revenue and taxation.

Also: Senate Bill No. 216—An Act to amend section three hundred and eighty-five of the Code of Civil Procedure of the State of California, relating to the bringing and continuance of actions and proceedings upon the death or disability of a party or person interested in certain causes of action.

Also: Senate Bill No. 258—An Act to amend section three thousand seven hundred and seventy of the Political Code, relating to the duties of Tax Collectors.

Also: Senate Bill No. 324—An Act to amend sections seven hundred and ninety-two and eight hundred and one of the Political Code of the State of California, relating to the qualifications and liabilities of Notaries Public.

Also: Senate Bill No. 424—An Act to add a new section to an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estate of deceased persons, to be known as section one thousand six hundred and seventy.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 196—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the State.

Also: Senate Bill No. 300—An Act to amend section three thousand seven hundred and thirty-one of the Political Code, relating to duties of Auditors.

Also: Senate Bill No. 301—An Act to amend section three thousand eight hundred and five of the Political Code, relating to duplicate assessments.

Also: Senate Bill No. 421—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on County Government and Township Organization.

Also: Senate Bill No. 185—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding one new section thereto, to be known as Section 6a, providing for qualification to vote for assignee; to amend section fifteen of said Act, providing for election of assignee; and to amend section fifty-five of said Act, touching fraudulent preferences and transfers.

Also: Senate Bill No. 272—An Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure, relative to the powers and duties of Court Commissioners.

Also: Senate Bill No. 275—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Also: Senate Bill No. 289—An Act to amend section one hundred and seventy-two of the Civil Code of the State of California, relating to the husband's control and disposition of the community property.

Also: Senate Bill No. 335—An Act to amend sections numbered nine hundred and fifteen and nine hundred and seventeen of the Penal Code, and to repeal sections numbered nine hundred and sixteen, nine hundred and twenty-two, nine hundred and twenty-eight, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of said Penal Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 285—An Act to amend section one thousand one hundred and seventy of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Senate Bill No. 385—An Act to provide for incorporation, operation, and management of coöperative associations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 356—An Act to amend section one thousand four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to special administrators.

Also: Senate Bill No. 374—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure, relative to the trial of causes by the Court.

Also: Senate Bill No. 375—An Act to amend section six hundred and thirty-three of the Code of Civil Procedure, relating to trial by Court.

Also: Senate Bill No. 376—An Act to amend section six hundred and sixty of the Code of Civil Procedure, relative to new trials.

Also: Senate Bill No. 387—An Act to fix the fees, commissions, and charges of Sheriffs while acting as receivers in insolvency proceedings, and for the disposition of the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 379—An Act to restrain certain domestic animals from running at large—have had the same under consideration, and report the same back, and recommend that it be referred to Committee on Agriculture.

Also: Senate Bill No. 554—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Also: Senate Bill No. 276—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 466—An Act for the relief of Patrick Creighton.

Also: Senate Bill No. 226—An Act for the relief of George Dougherty.

Also: Senate Bill No. 251—An Act for the relief of Barnaby Dougherty.

Have had the same under consideration, and respectfully report that there is no objection to their constitutionality.

McGOWAN, Chairman.

Senate Bill No. 379 re-referred to Committee on Agriculture.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

Also: Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

Also: Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

Also: Senate Bill No. 233—An Act to provide for the payment for advertising the constitutional amendments, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

VOORHEIS, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 392—An Act to create the county of Santa Ynez.

Also: Senate Bill No. 590—An Act to create the county of Santa Rita.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

DENISON, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the

State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State—have had the same under consideration, and respectfully report the same back.

Also: Senate Bill No. 304—An Act making an appropriation for the erection of buildings, and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom—have had the same under consideration, and respectfully report the same back.

Also: Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS—MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bills Nos. 173, 175, and 304—beg leave to submit a minority report, and recommend the passage of Senate Bill No. 173.

OSTROM,
WHITEHURST,
BIGG,
MCALLISTER.

LEAVE OF ABSENCE.

At ten o'clock and thirty-five minutes A. M. Senator Hoyt, by request, was granted a leave of absence for one half hour.

ASSEMBLY MESSAGES.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the tenth day of February, passed Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Also: Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing for a forfeiture for the selling, or offering for sale, any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 113 referred to Committee on City, City and County, and Town Governments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the tenth day of February, amended, passed as amended, and ordered immediately transmitted to the Senate, Assembly Joint Resolution No. 4—Relative to the free and unlimited coinage of silver.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Joint Resolution No. 4 referred to Committee on Finance.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 651—An Act to appropriate money to build and furnish a house for the Governors of the State of California.

Referred to Committee on Finance.

By Senator Mathews: Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the im-

provement of navigable streams and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel."

Referred to Committee on Commerce and Navigation.

By Senator Wilson: Senate Bill No. 653—An Act to add a new section to the Civil Code, to be known as section four hundred and ninety-two.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Flint: Senate Bill No. 654—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Referred to Committee on Finance.

RESOLUTION.

Senator Ostrom offered the following resolution, and moved its adoption:

Resolved, That the necessary expense involved in telegraphing Senate Joint Resolution No. 18, relative to break in Feather River, be paid from the Contingent Fund of this Senate.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Martin, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—24.

NOES—None.

Senator Mathews, in compliance with his notice of yesterday, moved that Rule No. 8½ be stricken from the Rules of the Senate, and accepted the amendment of Senator Seawell, as follows: "to take effect after Thursday next."

The roll was called, and the motion, as amended, lost by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Everett, Fay, Flint, Gesford, Mathews, Orr, Ostrom, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—17.

NOES—Messrs. Arms, Dunn, Ford, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Ragsdale, Seymour, and Williams—14.

SUBSTITUTION.

On motion of Senator Whitehurst, Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor—was placed on special file, and unanimous consent given for the withdrawal of Senate Bill No. 450, it being identical with Assembly Bill No. 500.

Senate Bill No. 450 withdrawn.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly enrolled: Senate Bill No. 24—An Act to provide one additional Judge of the Superior Court of the county of Alameda.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 313—An Act to provide a depository for the county funds.

Also: Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Dramage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Also: Senate Bill No. 51—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

RAGSDALE, Chairman.

SPECIAL FILE—POSTPONEMENT.

On motion of Senator Seawell, the special order set for eleven o'clock A. M. this day, was reset as a special order for consideration on Monday next at three o'clock and thirty minutes P. M., viz.:

Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

THIRD READING OF BILLS.

Senate Bill No. 314—An Act authorizing the State Board of Capitol Commissioners to appoint two extra employes for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Mahoney, Martin, Mitchell, Orr, Ostrom, Raggsdale, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—26.

NOES—None.

Title read and approved.

Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Raggsdale, Seawell, Seymour, Shippee, Simpson, Streeter, and Williams—27.

NOES—Messrs. Burke, Campbell, Harp, Voorheis, Whitehurst, and Wilson—6.

Title read and approved.

On motion of Senator Maher, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh day of February, passed Senate Bill No. 573—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Bill ordered to enrollment.

REPORT OF SELECT JOINT COMMITTEE—(OUT OF ORDER).

The following report of joint committee was submitted:

MR. PRESIDENT: The joint committee of the Senate and Assembly, appointed to draft suitable resolutions in memory of Hon. E. B. Price, respectfully submit the following:

Resolved by the Senate and the Assembly of the State of California, That in the death of the Hon. E. B. Price, late a member of this Legislature, the people of the State of California have lost a diligent, faithful, and patriotic public servant—a citizen who in public, as well as in private life, buried self far out of sight and wrought for the good of others. No taint of gain ever touched his hand, no surrender of principle ever marred the colors of the banner he bore. The great purpose of his life was just planned out, but he was stricken down in the midst of duty before his ambitions could be realized or the aspirations of his life fulfilled.

Resolved, That his career furnishes a shining example of one who, choosing his life work, loved it with an unwavering love, believed in it with an unalterable and tireless devotion, and attained to eminence before he had rounded two score years.

Resolved, That to the bereaved family of the deceased we tender our deep and heartfelt sympathies.

Resolved, That copies of these resolutions be transmitted to his family and be entered in full in the Journals of the Senate and Assembly.

SIMS.
VANN.
BULLA.
KERN.
BUCKLEY.
GOUCHER.
GESFORD.
MCGOWAN.
SEAWELL.
HART.

Senator Goucher moved that the resolutions embodied in the report be adopted by a standing vote.

Whereupon, the question was put, and each member of the Senate arose from his seat, and the President declared the resolutions unanimously adopted.

WITHDRAWAL OF BILL.

By unanimous consent Senator Mathews withdrew Senate Bill No. 181—An Act to provide for the organization, incorporation, and government of towns—and substituted therefor Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Read first time, and substitution ordered.

SECOND READING OF BILLS.

Senate Bill No. 21—An Act to create the office of Commissioner of Horticultural Statistics, and appropriating money for his salary and expenses.

Passed on file.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Senate No. 107—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Passed on file.

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Passed on file.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such Commissioner.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Passed on file.

Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Passed on file.

Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Passed on file.

Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds.

Passed on file.

Senate Bill No. 235—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Passed on file.

Senate Bill No. 237—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Passed on file.

RECONSIDERATION.

In compliance with the notice given yesterday, Senator Gesford moved a reconsideration whereby Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140 was refused final passage.

The roll was called, and motion carried by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Dunn, Fay, Gesford, Hoyt, McGowan, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson—22.

NOES—Messrs. Everett, Flint, Ford, Hart, Maher, Orr, Ragsdale, and Simpson—8.

FINAL PASSAGE.

Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, 140—An Act to amend sections six, eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, and to add a new section thereto, to be numbered section sixty-three of said Act.

At eleven o'clock and fifty-eight minutes A. M. Senator McGowan moved that the hour for declaring recess be extended until the subject under discussion be disposed of.

So ordered.

Senator Gesford moved that Senator Shippee be appointed a committee of one to amend the bill as follows:

By adding to printed bill another section, to be known as section nine, to read as follows:

SEC. 9. This Act shall take effect and be in force on the first day of January, eighteen hundred and ninety-five.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: Your committee of one, to whom was referred Substitute for Senate Bills Nos. 29, 30, 32, 53, 54, 57, 58, and 140, with instructions to amend the same, has had the same under consideration, and respectfully reports the same back, amended in accordance with instructions.

SHIPPEE, Committee.

The roll was called, and the report of special committee (the adoption of the amendment) defeated by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Fay, Gesford, Harp, McGowan, Mathews, Orr, Ostrom, Ragsdale, Seawell, Shippee, Voorheis, Whitehurst, and Wilson—16.

NOES—Messrs. Arms, Dunn, Everett, Flint, Ford, Goucher, Hart, Hoyt, Maher, Mahoney, Martin, Mitchell, Seymour, Simpson, Streeter, and Williams—16.

The question recurring on the final passage of the bill.

The roll was called, and its final passage was refused by the following vote:

AYES—Messrs. Burke, Gesford, McGowan, Mahoney, Mathews, Orr, Seawell, Voorheis, Whitehurst, and Wilson.

NOES—Messrs. Arms, Berry, Biggy, Campbell, Dunn, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Martin, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, and Williams.

Senator Fay, who would have voted "no," announced that he was paired with Senator McAllister, who would have voted "aye."

Before the announcement of the vote, Senator Gesford moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Biggy, Burke, Campbell, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Whereupon, Senator Everett moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The President then announced the vote—Ayes 10, Noes 22—and declared that the Senate refused a final passage of the bill.

At twelve o'clock and eighteen minutes P. M. Senator Maher moved that when the Senate takes a recess this day it be until two o'clock P. M.

RECESS.

At twelve o'clock and twenty-three minutes P. M. Senator Seawell raised the point of order that the consideration of the substitute bill just defeated having been accomplished, the Senate was at recess.

The President declared the point of order well taken.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Biggy, Burke, Campbell, Dunn, Fay, Flint, Gesford, Goucher, Harp, Hoyt, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson.

MOTION.

On motion of Senator Seawell, the procedure of business for the afternoon was declared to be as follows: The first reading of bills, and upon its completion adjournment.

Senator Campbell in the chair.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Senator Campbell: Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

There being no objection, it was placed on first reading file without reference to committee.

FIRST READING OF BILLS.

The following bills were read first time and placed on file for second reading:

Senate Bill No. 320—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in the city of Los Angeles.

Senate Bill No. 582—An Act making an appropriation to pay the deficiency in the appropriation for restoration and preservation of fish in the waters of the State for forty-second and forty-third fiscal years.

Senate Bill No. 583—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for forty-second and forty-third fiscal years.

Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California."

Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt.

Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act.

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier, for the forty-third and forty-fourth fiscal years.

Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders for the forty-third fiscal year.

Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Senate Bill No. 135—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which

the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Assembly Bill No. 1—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers, for the forty-second fiscal year.

Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Senate Bill No. 332—An Act to authorize the acquisition by donation of a site for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof.

Senate Bill No. 466—An Act for the relief of Patrick Creighton.

Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers in the harbor of San Diego.

Senate Bill No. 457—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Senate Bill No. 436—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board.

Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Senate Bill No. 361—An Act for the relief of J. F. Chapman & Co., for damages sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

Senate Bill No. 265—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents, to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Senate Bill No. 266—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Senate Bill No. 537—An Act to amend section five hundred and seventy-five of the Civil Code of the State of California, relating to making and drawing deposits and dividends in savings and loan corporations.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Senate Bill No. 130—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Senate Bill No. 543—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Senate Bill No. 499—An Act to amend section one thousand and thirty-two of the Political Code, relating to public records.

Senate Bill No. 544—An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit upon the amount that may be distributed to any single person.

Senate Bill No. 442—An Act to prevent the leading, taking, carrying away, decoying, or enticing away any child under the age of ten years from the parent or parents, or other persons having the lawful charge or possession of such child, and for fixing penalties for violation of this Act.

Senate Bill No. 534—An Act to add a new section to the Penal Code, to be known as section —, relating to defrauding proprietors and managers of livery stables.

Senate Bill No. 515—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Senate Bill No. 516—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Senate Bill No. 292—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Senate Bill No. 353—An Act to amend sections one thousand three hundred and fifty-two, one thousand three hundred and sixty-eight, one thousand three hundred and seventy, and one thousand three hundred and eighty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to estates of deceased persons.

Senate Bill No. 493—An Act relative to the placing and maintaining of messenger call-boxes in houses of ill-fame, or in any house, building, or room occupied or frequented by lewd women.

Assembly Bill No. 8—An Act to promote the purity of elections.

Senate Bill No. 26—An Act to prevent corrupt practices in elections, and to provide for publicity in election expenses.

Senate Bill No. 16—An Act to prohibit prize fighting and pugilistic sport.

Senate Bill No. 403—An Act to amend section five hundred and twenty-seven of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Senate Bill No. 404—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners.

Senate Bill No. 334—An Act to provide for the working of certain convicts upon the public roads in the State.

Senate Bill No. 317—An Act to amend section one hundred and seventy-one of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to unauthorized communications with convicts in the State Prison, and bringing articles into the State Prisons.

Senate Bill No. 255—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Senate Bill No. 151—An Act to provide for the leasing and disposition of water for mechanical and other purposes, by irrigation districts organized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Senate Bill No. 561—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Senate Bill No. 357—An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County.

Senate Bill No. 449—An Act to create the county of Santa Rita, to establish the boundaries thereof, and to provide for its organization.

Senate Bill No. 437—An Act to provide for the adjustment of the indebtedness and assets between any county that has been created, or may hereafter be created, and the county or counties from the territory of which such new county may be created.

Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employe, at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Senate Bill No. 558—An Act to prevent undue reduction of wages by contractors for public work.

Senate Bill No. 483—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 1, 1872, by adding a new section thereto, to be known as section six hundred and ninety and one half, for the purpose of defining and enforcing section six hundred and ninety of said Code.

Senate Bill No. 303—An Act to authorize the Assessors of counties, and cities and counties, having over two hundred and fifty thousand inhabitants, to appoint deputies, and to fix their salaries and compensation.

Senate Bill No. 145—An Act to amend section six hundred and ninety-two of an Act entitled "An Act to establish the Code of Civil Procedure of California," approved January 1, 1873.

Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Senate Bill No. 169—An Act to amend section two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law.

Senate Bill No. 23—An Act to amend sections two hundred and seventy-six and two hundred and seventy-seven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law.

Senate Bill No. 39—An Act to amend section one hundred and seventy-two of an Act entitled "An Act to establish a Civil Code," relating to the husband's control and disposition of the community property.

Senate Bill No. 142—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Senate Bill No. 153—An Act to amend an Act entitled "An Act to establish a Political Code," by amending section six hundred and eighty thereof.

Senate Bill No. 176—An Act to amend sections one thousand one hundred and eighty-seven and one thousand one hundred and eighty-nine of the Civil Code of the State of California, and to enact two new sections of said Civil Code, numbered, respectively, one thousand one hundred and eighty-six and one thousand one hundred and ninety-one, relating to the acknowledgment of conveyances by married women.

Senate Bill No. 31—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by amending section forty-nine of said Act, so that the same will read as follows.

Senate Bill No. 95—An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of Los Angeles, State of California, and for the appointment of such additional Judges," approved March 11, 1889, and to reduce the number of Judges of said county from six to four.

Senate Bill No. 556—An Act to amend section three thousand and five of the Political Code, relating to the appointment of a Board of Health for the City and County of San Francisco.

Senate Bill No. 503—An Act to amend sections thirty-seven and one hundred and ninety of the Penal Code of the State of California, relating to the punishment of crimes.

Senate Bill No. 509—An Act to establish what shall constitute lawful fences within the State of California.

Senate Bill No. 511—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Senate Bill No. 104—An Act to amend sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, and one thousand six hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and three, relating to the election of School Trustees.

Senate Bill No. 156—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 12, 1872, approved March 20, 1889, relating to elections.

Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Senate Bill No. 194—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Senate Bill No. 195—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Senate Bill No. 251—An Act for the relief of Barnaby Dougherty.

Senate Bill No. 226—An Act for the relief of George Dougherty.

Senate Bill No. 574—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Senate Bill No. 580—An Act entitled an Act to appropriate money to pay the claim of Patrick Begley, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished

under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners.

Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Senate Bill No. 486—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six of the Political Code, relating to roads and highways.

Senate Bill No. 550—An Act to amend sections two thousand six hundred and forty-two, two thousand six hundred and forty-three, two thousand six hundred and forty-five, two thousand six hundred and forty-six, and two thousand six hundred and fifty-two of the Political Code, and to enact a new section, to be known as section two thousand six hundred and forty-four of the Political Code, relating to roads and highways.

Senate Bill No. 545—An Act prohibiting the use of barbed wire fence on public lanes, streets, alleys, roads, or highways.

Senate Bill No. 70—An Act to amend section one thousand seven hundred and seventy of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Senate Bill No. 333—An Act to amend section three hundred and twenty-one of the Penal Code of California, relating to lotteries and lottery tickets.

Senate Bill No. 396—An Act to amend section one hundred and seventy-two of the Civil Code of the State of California, relating to the husband's control and disposition of the community property.

Senate Bill No. 208—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Substitute for Senate Bill No. 418—An Act to provide for the payment of the principal and interest due on certain Controller's warrants, drawn on the War Loan Fund of the State Treasury, and making an appropriation therefor.

Senate Bill No. 180—An Act to appropriate money to pay the claim of Mrs. Catherine Boyle, administratrix of the estate of James H. Boyle, deceased, to reimburse her for money paid for school land for which the State can give no title.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at World's Columbian Exposition, and to appropriate money therefor.

Senate Bill No. 360—An Act making an appropriation to pay the claim of J. L. Cooke and William Gutenberger for balance due for materials furnished and work done in the construction of the branch State Prison at Folsom.

Senate Bill No. 408—An Act to provide for payment of the claim of C. C. Rochford.

Senate Bill No. 295—An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers.

Senate Bill No. 529—An Act to make an appropriation to pay the traveling expenses of the Attorney-General in attending to criminal cases before the Supreme Court of the United States.

Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Substitute for Senate Bill No. 417—An Act to provide for the care and treatment of inebriates, acute insane persons, and victims of opium or other drug habits.

Senate Bill No. 640—An Act to establish a California State Raisin Growers', Packers', and Brokers' Association, and prescribing the powers thereof.

Senate Bill No. 610—An Act regulating the practice of architecture in the State of California.

Senate Bill No. 549—An Act to provide for the election and term of office and salary of Justices of the Peace in all counties, and cities and counties, having a population of more than two hundred thousand.

Senate Bill No. 296—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

Senate Bill No. 559—An Act to amend sections two thousand six hundred and thirty-eight and two thousand five hundred and ninety-six of the Civil Code, relative to insurance policies.

Senate Bill No. 488—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, or municipal corporations incorporated under the laws of this State," approved March 15, 1887.

Senate Bill No. 37—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Senate Bill No. 528—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Senate Bill No. 575—An Act to amend sections sixteen, eighteen, nineteen, twenty-four, twenty-six, and twenty-nine of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889.

Senate Bill No. 447—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the

plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Also: Senate Bill No. 293—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

RAGSDALE, Chairman.

ADJOURNMENT.

At three o'clock and twenty-eight minutes P. M., the first reading file having been disposed of, Senator Campbell in the chair, declared, in accordance with Senator Seawell's motion, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, February 13, 1893. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McTiowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragdsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Biggy.

LEAVE OF ABSENCE.

Senator Everett was granted a leave of absence for the day, on motion of Senator Broderick.

Senator Carpenter was granted a leave of absence for the day, on motion of Senator Goucher.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Passed on file.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

The bill having been read a third time on a previous day, the roll was called, and the bill finally passed by the following vote:

AYES—MESSRS. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—Mr. Simpson—1.

Title read and approved.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Passed on file.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Read third time, and ordered to engrossment.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Read third time.

MOTION.

Senator Burke moved that Senate Bill No. 149 be referred to a special committee of one, consisting of Senator Orr, to amend as follows:

Strike out of section one, line ten, the words "in the month of January of each year," and insert in lieu thereof the words "at least thirty days prior to the levy of taxes for municipal purposes."

Also; Strike out of section one, line eleven, the words "in said month of July," and insert in lieu thereof the words "immediately after fixing said amount."

Also: Strike out sections two, three, and four of said bill.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 13, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 149, with instructions to amend, has had the same under consideration, and respectfully reports the same back amended as per instructions.

ORR, Committee.

Report of special committee adopted.

MOTION.

On motion of Senator Burke, Senate Bill No. 149 was ordered printed as amended, reingrossed, and to retain its place on file for third reading.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Passed on file.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file, at request of the author.

MOTION.

Senator Hart moved to re-refer Senate Bill No. 392 to Committee on Counties and County Boundaries.

So ordered.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Read third time, and finally passed by the following vote:

AYES—MESSRS. Bailey, Biggy, Broderick, Burke, Campbell, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

Title read and approved.

Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Wilson—31.

NOES—None.

Title read and approved.

Senate Bill No. 105—An Act to prevent the use of fraudulent marks on merchandise.

Passed on file, to retain its place on file, at request of the author.

Senate Bill No. 133—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Passed on file, to retain its place on file, at request of the author.

Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

Senate Bill No. 278—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Passed on file temporarily, to retain its place on file, at the request of the author.

Senate Bill No. 215—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Wilson—32.

NOES—None.

Title read and approved.

Senate Bill No. 217—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Ford, Goucher, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Wilson—29.

NOES—None.

Title read and approved.

MOTION.

Senator Maher moved that Senate Bill No. 184 be read the third time.

So ordered.

Senate Bill No. 184—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—32.

NOES—None.

Title read and approved.

Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Passed on file, at request of author.

Senate Bill No. 209—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 13, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 279—An Act to amend the Civil Code by adding to part four, division first, a new title, providing for the consolidation of colleges and institutions of higher education.

Also: Senate Bill No. 573—An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878.

RAGSDALE, Chairman.

SPECIAL ORDER—SECOND READING OF BILL.

Substitute for Senate Bills Nos. 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

The following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILLS Nos. 157, 372, 373, 441.

An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty-six hundred and thirty-three of the Political Code is hereby amended to read as follows:

2633. Any owner or occupant of land adjoining a highway not less than three rods wide, may plant deciduous trees in and along said highway on the side contiguous to his land. They must be set in regular rows, at a distance of at least twenty feet from each other, and not more than six feet from the boundary of the highway. If the highway is more than eighty feet wide, the row must not be less than six nor more than twelve feet from the boundary of the highway. Whoever willfully injures any of them is liable to the owner or to the occupant for the damage which is thereby sustained; *provided*, if, in the judgment of the Board of Supervisors, the whole width of such road is needed for use for highway purposes the whole thereof may be so used.

SEC. 2. Section twenty-six hundred and forty-one of said Act is hereby amended to read as follows:

2641. Each Supervisor shall be ex officio Road Commissioner in his supervisor district, and shall see that all orders of the Board of Supervisors pertaining to the roads in his district are properly executed; *provided*, when in any county the members of the Board of Supervisors thereof are not elected by districts, it shall be the duty of such Board, by proper order, to be entered in its records, to divide such county into supervisor districts to correspond with the number of members of such Board, and to assign to each member thereof one of such districts, of which he shall be such Road Commissioner; when not otherwise provided by law he shall receive for his services as such Road Commissioner twenty cents per mile, one way, for all distances actually traveled by him in the performance of his duties; *provided*, that he shall not, in any one year, receive more than three hundred dollars.

SEC. 3. Section twenty-six hundred and forty-three of said Act is hereby amended to read as follows:

2643. The Boards of Supervisors of the several counties of the State shall have general supervision over the roads within their respective counties. They must, by proper ordinance—

1. Cause to be surveyed, viewed, laid out, recorded, opened, and worked such highways as are necessary to public convenience, as in this chapter provided.

2. Cause to be recorded as highways such roads as have become such by usage, dedication, or abandonment to the public. Also all such streets and roads as have been or may be declared such under section seventeen hundred and sixty-four of the Code of Civil Procedure.

3. Abolish or abandon such as are not necessary.

4. Contract, agree for, purchase, or otherwise acquire the right of way over private property for the use of public highways, and for that purpose institute, or require the District Attorney to institute, proceedings under title seven, part three, of the Code of Civil Procedure, and to pay therefor from the District Road Fund of the particular district.

5. Levy a property tax for road purposes.

6. In their discretion, cause to be erected and maintained on the highways they may designate, mile-stones, or posts, or guide posts properly inscribed.

7. Cause the road tax collected each year to be apportioned to the several road districts entitled thereto, and kept by the Treasurer in separate funds.

8. Audit all claims on the funds of the respective road districts, when required to pay for work or improvements thereon.

9. In their discretion, they may provide for the establishment of gates on the public highways in certain cases to avoid the necessity of building road fences, and prescribe rules and regulations for closing the same, and penalties for violating said rules; *provided*, that the expense for the erection and maintenance of such gates shall, in all cases, be borne by the party or parties for whose immediate benefit the same shall be ordered.

10. For the purpose of watering roads in any part of the county, the Supervisors may erect and maintain waterworks, and for such purpose may purchase or lease real or personal property. The costs for such waterworks and the watering of said roads may be charged to the General County Fund, the General Road Fund, and the District Fund of the district or districts benefited.

11. In their discretion, they may advertise for bids to grade, turnpike, gravel, or sprinkle any road or roads in any road district, which contract shall be let to the lowest responsible bidder; *provided*, the Board may reject any or all bids, whenever it shall appear to them that the same are too high. The advertisement for such bids shall specify the road or roads upon which such work is to be done, the kind, character, and extent of the same, so as to plainly indicate to bidders the work to be bid for; and shall, when in their judgment the same is necessary, cause the County Surveyor to survey and furnish a profile of the proposed work, showing cuts, fills, and grade as fully as

practicable, which profile shall be open to inspection at the office of the Board of Supervisors. When such work is completed, the same shall be inspected by the Board of Supervisors, or by a committee of the Board appointed by the Chairman to inspect and report upon the same. And no payment shall be paid for such work until the same has been inspected and accepted by the Board or such committee; *provided*, the Board may, in their discretion, advance not to exceed thirty per cent of the amount of such contract after the work is at least half completed. No bid shall be awarded to a person not a qualified elector of the county. Such advertisement for bids shall be in such newspaper as the Board may designate, and be published for the period of at least two weeks, and notice of such letting shall also be posted by the Road Overseer in three conspicuous places in the district where such work is to be done, for at least ten days before the day set for opening said bids and awarding contracts. Bids shall be inclosed in a sealed envelope, directed to the Clerk of the Board of Supervisors, and shall be indorsed across the face of the envelope, "Bids for road work, ——— District," giving name of proper district.

Section two thousand six hundred and forty-six of said Act is hereby repealed.

SEC. 4. Section twenty-six hundred and forty-five of said Act is hereby amended to read as follows:

2645. Road Commissioners, under the direction and supervision and pursuant to orders of the Board of Supervisors, must:

1. Take charge of the highways within their respective districts, and shall employ all men, teams, watering carts, and all help necessary to do the work in their respective districts when same is not let by contract.

2. Keep them clear from obstructions, and in good repair, and destroy, or cause to be destroyed, at least once a year, all thistles, Mexican cockleburs, of any kind, and all noxious weeds growing or being on any portion of the public highways or public roads in their respective districts.

3. Cause banks to be graded, bridges and causeways to be made when necessary, keep the same in good repair, and renew them when destroyed.

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 6. This Act shall take effect and be in force from and after its passage.

Senator Goucher in the chair.

During the second reading of the substitute bill the following amendments were presented:

AMENDMENTS.

Senator Seawell offered the following amendments to the substitute:

Amend by striking out of section two, lines ten, eleven, and twelve, of printed bill, the words: "twenty cents per mile, one way, for all distances actually traveled by him in the performance of his duties; *provided*, that he shall not, in any one year, receive more than."

Also: Insert after the word "dollars," on line twelve, the words "per annum."

AYES AND NOES.

The ayes and noes were demanded by Senators Campbell, Voorheis, and Langford.

The roll was called, and the motion to amend lost by the following vote:

AYES—Messrs. Broderick, Denison, Flint, Ford, Goucher, Hart, McGowan, Maher, Mahoney, Martin, Mathews, Streeter, Voorheis, and Whitehurst—14.

NOES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Dunn, Fay, Gesford, Harp, Hoyt, Langford, McAllister, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Williams, and Wilson—22.

Senator Seawell moved to amend as follows:

Amend by striking out section two.

Lost.

Senator Orr moved to amend as follows:

Amend by striking out of section four, line one, the figure "4," and insert in lieu thereof the following: "3."

Adopted.

Senator Orr moved to amend as follows:

By striking out of section three, line forty-eight, the word "overseer," and inserting in lieu thereof the word "commissioner."

Adopted.

Senator Orr moved to amend as follows:

By striking out of section three, line thirty-three, the words "in any road district."

Adopted.

Senator Orr moved to amend as follows:

By striking out of section three, line four, the word "ordinance," and inserting in lieu thereof the word "order."

Adopted.

Senator McGowan moved to amend section three, line fifty-two, by inserting the following after the word "district:"

"12. But nothing contained in this section or Act shall be construed to prevent the Boards of Supervisors of the several counties of this State from enacting such rules, regulations, and ordinances for the alteration, construction, or repair of roads and public highways as said Boards may deem advisable and proper."

MOTIONS.

At four o'clock and fifty-five minutes P. M. Senator Voorheis moved to take a recess until seven o'clock and thirty minutes P. M.

Lost.

Senator Ford moved that the bill, with the amendments adopted and the one under discussion, be re-referred to the Committee on Roads and Highways.

At five o'clock and twelve minutes P. M. Senator Mahoney moved to adjourn.

Lost.

The question then recurring on the motion of Senator Ford to re-refer the bill to the Committee on Roads and Highways, the same was carried.

Senator Langford moved that the further consideration of the bill be made a special order for Wednesday next immediately after the reading of the Journal.

So ordered.

POINT OF ORDER.

Upon a point of order raised by Senator Seawell, the Chair (Senator Goucher) ruled that the committee to whom the bill was re-referred must report it back in time for consideration immediately after the reading of the Journal on Wednesday next.

RESOLUTION.

By Senator McGowan:

Resolved, That the Secretary of the Senate is hereby directed to forthwith have printed all the testimony taken before the special committee investigating the State Railroad Commissioners, and that five hundred copies thereof be printed.

Adopted.

ADJOURNMENT.

At five o'clock and sixteen minutes P. M., on motion of Senator Mahoney, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 14, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

LEAVE OF ABSENCE.

Senator Carpenter was granted a leave of absence for the day, on motion of Senator Maher.

Senator Broderick was granted a leave of absence for the forenoon, on motion of Senator Ragsdale.

PRESENTATION OF PETITION.

Senator Mathews presented a petition from the Local Assembly, Knights of Labor, of Los Angeles, asking that women be given the right of school and municipal suffrage.

Referred to Committee on Elections.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 531—An Act appropriating funds for the relief of E. W. Melvin, his heirs or assigns—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 617—An Act to pay the claim of Michael Denzer against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the same be withdrawn.

Also: Senate Bill No. 614—An Act to pay the claim of Michael Denzer against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended in committee.

CAMPBELL, Chairman.

REPORT OF SUB-COMMITTEE.

SACRAMENTO, CAL., February 9, 1893.

To the Joint Committee on Claims.

GENTLEMEN: Your sub-committee, to whom were referred Senate and Assembly Bills covering claims against the State, of

E. W. Melvin, for.....	\$10,000 00
John H. Van Saun, for.....	10,000 00
I. N. Brock, for.....	10,000 00
Maurice Sheehan, for.....	5,000 00
John McGrath, for.....	5,000 00
Michael Denzer, for.....	10,000 00
Abraham Winans, for.....	10,000 00

Bea leave to report that we have made a careful and painstaking investigation into the merits of the various claims above recited, we have examined a large number of witnesses, including all the physicians who attended the claimants during their illness, and beg to report that the various bills now before you be amended and reported favorably, so as to allow the following amounts:

John H. Van Saun.....	\$3,000 00
I. N. Brock.....	1,000 00
Maurice Sheehan.....	3,000 00
John McGrath.....	4,000 00
Abraham Winans.....	3,000 00
E. W. Melvin.....	5,000 00

Since the appointment of this committee Michael Denzer has died from his injuries, and, as a substitute for his claim, we beg to report the accompanying bill in favor of Dr. M. Gardner, who has been agreed upon by the creditors of Michael Denzer, as trustee, and who has kindly volunteered to act as such. The sum of \$3,000 is recommended in this case, and Dr. Gardner will distribute it as follows:

Nurse of Michael Denzer.....	\$1,400 00
Physician of Michael Denzer.....	500 00
Attorney of Michael Denzer.....	750 00
Funeral expenses, \$100; monument and care of grave, \$250.....	350 00

Total.....\$3,000 00

Respectfully submitted.

HOYT,
DUCKWORTH,
TINDALL.

Senate Bills Nos. 531, 614, 615, and 617 re-referred to Committee on Finance.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 490—An Act to amend "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889,—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended by committee.

STY MOORE, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor,—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also, Senate Bill No. 167—An Act to appropriate ten thousand dollars for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects,—have considered the bill, amended section one and the title, and recommend that it do pass as amended.

Also, Senate Bill No. 164—An Act making an appropriation for erection of an additional building for State Normal School at San Jose,—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Also: Senate Bill No. 236—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School at San José.

Also: Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for the forty-first fiscal year.

Also: Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by Surveyor-General in transcribing records and plat books in his office.

Also: Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José.

Also: Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 331—An Act to appropriate money for erection of monument in Golden Gate Park.

Also: Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Senate Bill No. 223—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Also: Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

VOORHEIS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Also: Assembly Bill No. 4—An Act to amend section fifty-three of the Penal Code of California, relating to intimidating, corrupting, deceiving, or defrauding electors.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 350—An Act to amend an Act entitled an Act to establish a Code of Civil Procedure, by adding two new sections thereto, concerning attorneys and counselors at law, chapter one, title five, part one.

Also: Senate Bill No. 609—An Act to amend section three thousand and forty-six of the Civil Code of the State of California.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 517—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 518—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 519—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 626—An Act to amend section two hundred of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to exemption from jury duty.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 591—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Also: Senate Bill No. 330—An Act in relation to proceedings of Courts of justice in civil cases, being an Act to amend sections two hundred and sixty-nine, six hundred and thirty-two, sections six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, six hundred and forty-nine, six hundred and fifty, six hundred and fifty-one, six hundred and fifty-two, six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, six hundred and sixty-one, six hundred and seventy, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, nine hundred and sixty-two of the Code of Civil Procedure of the State of California, and to repeal sections six hundred and thirty-three, six hundred and thirty-four, and six hundred and fifty-six of said Code of Civil Procedure, and to add four new sections to said Code of Civil Procedure, to be numbered, known, and designated, respectively, as Sections 951a, 953a, 962a, and 962b.

Have had the same under consideration, and respectfully report the same back without recommendation.

McGOWAN, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 280—An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and, as a part of the government thereof, to provide for the regulation of disputes to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration.

Also: Senate Bill No. 477—An Act to provide for the establishment and maintenance of free public employment offices.

Also: Senate Bill No. 460—An Act to provide for the employment of destitute citizens, and making appropriations therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MAHER, Chairman.

Senate Bills Nos. 477 and 460 re-referred to Committee on Finance.

REPORT OF SPECIAL COMMITTEE.

Senator Voorheis presented the following report on Senate Bill No. 250:

REPORT OF COMMITTEE OF ONE.

W. H. Murray was appointed Superintendent of Ramie Culture, and served as such Superintendent for thirteen months, up to the time that the Act was decided unconstitutional. Said Act provided "that such Superintendent was to receive one hundred dollars per month in full for all his expenses, traveling and otherwise;" therefore, your committee amend by striking out of section one, line one, the words "two thousand two hundred dollars," and insert the following: "one thousand three hundred dollars."

Also: By striking out all of section three.

VOORHEIS, Committee.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth day of February, passed and ordered immediately transmitted to the Senate Assembly Bill No. 271—An Act to amend sections seven hundred and twenty-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of the Political Code.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 271 referred to Committee on Public Printing.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Langford: Senate Bill No. 656—An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the fund provided for their maintenance, to the University of California.

Referred to Committee on Mines, Drainage, and Mining Debris.

Also: Senate Bill No. 657—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Ford: Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist, for the two years ending September 15, 1892.

Referred to Committee on Finance.

By Senator Voorheis: Senate Bill No. 659—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Referred to Committee on Finance.

Also: Senate Bill No. 660—An Act to provide for the payment of interest on the outstanding bonds of the State of California held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893.

Referred to Committee on Finance.

By Senator Martin: Senate Bill No. 661—An Act to amend section three thousand six hundred and ninety-six of the Political Code, relating to the duties of the State Board of Equalization.

Referred to Committee on Finance.

By Senator Earl: Senate Bill No. 662—An Act to promote the practical study of the sciences in the high schools of California.

Referred to Committee on Education and Public Morals.

By Senator Mitchell: Senate Bill No. 663—An Act to encourage the establishment of county, and city and county reform schools, for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor.

Referred to Committee on State Prisons and Prison Buildings.

By Senator Mathews: Senate Bill No. 664—An Act entitled an Act

to amend section seven hundred and four of an Act to establish a Code of Civil Procedure, relating to the payments in cases of redemption.

Referred to Committee on Judiciary.

Also: Senate Bill No. 665—An Act to establish a committee on legislation, advisory to the Legislature.

Referred to Committee on Judiciary.

Also: Senate Bill No. 666—An Act to amend sections one thousand two hundred and forty, one thousand two hundred and forty-one, and one thousand two hundred and forty-three of the Civil Code of the State of California, relating to homestead exemptions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 667—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitations of actions.

Referred to Committee on Judiciary.

Also: Senate Bill No. 668—An Act amending sections two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of the Code of Civil Procedure, and section eight hundred and sixty-nine of the Penal Code, relating to official phonographic reporters, and their duties, compensation, and fees.

Referred to Committee on Judiciary.

Also: Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Referred to Committee on Judiciary.

Also: Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Referred to Committee on Claims.

By Senator Whitehurst: Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Referred to Committee on Elections.

By Senator Gesford: Senate Bill No. 672—An Act to repeal an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also, to repeal an Act approved March 4, 1881, entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture;" also, to repeal an Act approved February 26, 1885, entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," and providing for the disposition of the property of the State now in possession of or under the control of the Board of State Viticultural Commissioners.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also: Senate Bill No. 673—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

On motion of Senator Gesford, Senate Bill No. 673 was ordered placed on file without reference to committee.

By Senator Seymour: Senate Bill No. 674—An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," passed March 21, 1872, by adding a new section thereto, to be numbered as section four hundred and four, concerning foreign corporations.

Referred to Committee on Judiciary.

Also: Senate Bill No. 675—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 7, 1881, relating to fees for services performed in the office of the Secretary of State.

Referred to Committee on Judiciary.

Also: Senate Bill No. 676—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections thirteen and seventeen thereof.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 677—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by the creation of a State Board of Irrigation, and by defining the powers and prescribing the duties thereof, and by providing for the printing of bonds issued by said Act.

Referred to Committee on Irrigation and Water Rights.

By Senator Maher: Senate Bill No. 678—An Act to authorize and empower the Board of Supervisors of any city, or city and county, having more than one hundred thousand inhabitants, to close up and cause to be closed any city cemetery or cemeteries, and to purchase another cemetery or cemeteries.

Referred to Committee on City, City and County, and Town Governments.

By Senator Broderick: Senate Bill No. 679—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Referred to Committee on Judiciary.

By Senator McGowan: Senate Bill No. 680—An Act to amend sections one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and forty-two, one thousand five hundred and forty-three, and one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the estates of deceased persons.

Referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 681—An Act entitled an Act to amend section five hundred and forty-one of the Civil Code, relating to telegraphic corporations.

Referred to Committee on Corporations.

By Senator Biggy: Senate Bill No. 682—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Referred to Committee on Corporations.

By Senator Hart: Senate Bill No. 683—An Act to pay the claim of C. Schindler against the State of California.

Referred to Committee on Claims.

Also: Senate Bill No. 684—An Act entitled an Act to amend section nine hundred and twenty of the Penal Code of the State of California.

Referred to Committee on Judiciary.

Also: Senate Bill No. 685—An Act entitled an Act to amend section one thousand two hundred and seventy of the Penal Code of the State of California.

Referred to Committee on Judiciary.

By Senator Broderick: Senate Bill No. 686—An Act to amend section three thousand and five of the Political Code, in relation to Boards of Health.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 687—An Act to amend section one thousand six hundred and sixty-eight of the Political Code.

Referred to Committee on Education and Public Morals.

By Senator Orr: Senate Bill No. 688—An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be known as section two thousand and eighty, relative to evidence in particular cases, in which the title to real property is involved.

Referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Referred to Committee on Finance.

SPECIAL FILE—SECOND READING OF BILLS.

Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam, to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Passed on file.

Senate Bill No. 21—An Act to create the office of Commissioner of Horticultural Statistics, and appropriate money for his salary and expenses.

Passed on file.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file, to retain its place on file, at request of author.

Senate Bill No. 107—An Act to appropriate ten thousand dollars for

the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

The following committee amendments were presented:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of title the figures "\$10,000," and inserting in lieu thereof the word "money."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section one, line one, the words "ten thousand dollars," and inserting the following in lieu thereof: "six thousand dollars."

Lost.

Senate Bill No. 107 read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read second time, ordered engrossed and on file for third reading.

Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read second time.

Senator Langford moved to amend as follows:

By inserting before the word "the," on line six, the word and figure, "Section 2."

Adopted.

Bill ordered printed and engrossed as amended, and on file for third reading:

Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read second time, and ordered to engrossment and to third reading.

FIRST READING OF BILLS.

Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds.

Read first time, and placed on file for second reading.

Senate Bill No. 235—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

On motion of Senator Bailey, Assembly Bill No. 127, being identical, was substituted for the above.

Senate Bill No. 235 withdrawn by unanimous consent.

Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Bill read first time, and placed on file for second reading.

Senate Bill No. 237—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Passed on file.

SECOND READING OF BILL.

Senate Bill No. 320—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

Senator Whitehurst moved to amend, as follows.

By striking out all of the title, and inserting the following in lieu thereof:

"An Act making an appropriation for the construction of a sewer for the State Insane Asylum at Agnews, and to provide for the expenditure of the same."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

FIRST READING OF BILLS.

Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read first time, and placed on file for second reading.

Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Read first time, and placed on file for second reading.

Senate Bill No. 223—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Read first time, and placed on file for second reading.

Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file, at request of author.

SECOND READING OF BILLS.

Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Read second time, and ordered to engrossment and to a third reading.

Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 582—An Act making an appropriation to pay the deficiency in the appropriation for restoration and preservation of fish in the waters of the State, for forty-second and forty-third fiscal years.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 583—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for forty-second and forty-third fiscal years.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file temporarily.

Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Passed on file temporarily.

Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California."

The following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 232.

An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of four hundred and sixteen dollars and seventeen cents is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the following bills for printing and advertising the "Notice to all Chinese persons in the State of California:"

Blade, Santa Ana, Orange County, three dollars.

Independent, Sonora, Tuolumne County, three dollars and fifty cents.

Record, Crescent City, Del Norte County, three dollars and fifty cents.

Free Lance, Hollister, San Benito County, four dollars and fifty cents.

Herald, Colusa, Colusa County, four dollars and sixty-two cents.

Ledger, Jackson, Amador County, five dollars.

Republican, Stockton, San Joaquin County, five dollars.

Republican Press, Ukiah, Mendocino County, five dollars.

Index, Salinas City, Monterey County, five dollars.

Mail, Woodland, Yolo County, five dollars.

Journal, Weaverville, Trinity County, five dollars.

Sentinel, Red Bluff, Tehama County, five dollars.

Press, Santa Barbara, Santa Barbara County, five dollars and fifty cents.

Farmer, Yuba City, Sutter County, five dollars and fifty cents.

Times-Mirror, Los Angeles, Los Angeles County, five dollars and fifty cents.

Times-Index, San Bernardino, San Bernardino County, six dollars.

Review, Willows, Glenn County, six dollars.

Gazette, Mariposa, Mariposa County, six dollars.

Mountain Messenger, Downieville, Sierra County, six dollars.

Journal, Yreka, Siskiyou County, six dollars.

Republican, Suisun City, Solano County, six dollars.
Delta, Visalia, Tulare County, six dollars.
Republican, Placerville, El Dorado County, six dollars and thirty cents.
Gazette, Martinez, Contra Costa County, six dollars and fifty cents.
Republican, Auburn, Placer County, seven dollars.
Union, San Diego, San Diego County, seven dollars.
Free Press, Redding, Shasta County, seven dollars.
Herald, Modesto, Stanislaus County, seven dollars and fifty cents.
Free Press, Ventura, Ventura County, seven dollars and fifty cents.
Avalanche, Lakeport, Lake County, seven dollars and fifty cents.
Encinal, Alameda, Alameda County, seven dollars and fifty cents.
Chronicle-Union, Bridgeport, Mono County, seven dollars and fifty cents.
Republican, Fresno, Fresno County, seven dollars and fifty cents.
Mercury, San José, Santa Clara County, seven dollars and fifty cents.
Transcript, Nevada City, Nevada County, eight dollars.
Mercury, Oroville, Butte County, eight dollars.
Sun, Merced, Merced County, eight dollars and fifty cents.
Sentinel, Santa Cruz, Santa Cruz County, eleven dollars.
Journal, San Rafael, Marin County, eleven dollars.
Tribune, San Luis Obispo, San Luis Obispo County, eleven dollars.
Republican, Santa Rosa, Sonoma County, twelve dollars.
Herald, Alturas, Modoc County, twelve dollars.
Register, Napa, Napa County, twelve dollars.
Times-Gazette, Redwood City, San Mateo County, twelve dollars and seventy-five cents.
Evening Post, San Francisco, San Francisco County, thirteen dollars and fifty cents.
National, Quincy, Plumas County, fourteen dollars.
Record-Union, Sacramento, Sacramento County, fifteen dollars.
Appeal, Marysville, Yuba County, eighteen dollars.
Prospect, San Andreas, Calaveras County, eighteen dollars and fifty cents.
Californian, Bakersfield, Kern County, twenty-two dollars.
Mail, Susanville, Lassen County, ten dollars.
SEC. 2. The Controller of State is hereby authorized to draw his warrants for the sums herein payable, and the Treasurer of State is directed to pay the same.
SEC. 3. This Act shall take effect immediately.

Committee Substitute for Senate Bill No. 232 read, adopted, ordered to engrossment and to a third reading.

Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt.

The following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 231.

An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of six thousand five hundred and eighty-three dollars and twenty-eight cents is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the following bills for printing and advertising the Funded Debt:
Record, Crescent City, Del Norte County, forty-eight dollars and seventy-five cents.
Times, Eureka, Humboldt County, fifty-nine dollars and fifty cents.
Press, Riverside, San Bernardino County, sixty-two dollars and fifty cents.
Journal, Yreka, Siskiyou County, sixty-three dollars.
Review, Willows, Glenn County, sixty-three dollars and twenty-five cents.
Advocate, Susanville, Lassen County, sixty-five dollars.
Sun, San Diego, San Diego County, sixty-eight dollars and seventy-five cents.
Republican, Auburn, Placer County, seventy-three dollars and seventy-five cents.
Gazette, Mariposa, Mariposa County, seventy-five dollars.
Delta, Visalia, Tulare County, seventy-five dollars.
Herald, Colusa, Colusa County, seventy-eight dollars and thirty cents.
New Era, Alturas, Modoc County, eighty dollars.
Independent, Middletown, Lake County, eighty dollars.
Gazette, Martinez, Contra Costa County, eighty dollars.
Republican, Fresno, Fresno County, eighty-seven dollars and fifty cents.
Mountain Messenger, Downieville, Sierra County, eighty-eight dollars.
Enquirer, Oakland, Alameda County, ninety dollars.
Mail, Woodland, Yolo County, ninety dollars and fifty cents.
Republican, Placerville, El Dorado County, ninety-one dollars.
Register, Oroville, Butte County, ninety-two dollars and fifty cents.
Times-Gazette, Redwood City, San Mateo County, ninety-six dollars and eighty-seven cents.

Journal, San Rafael, Marin County, ninety-nine dollars.
People's Cause, Red Bluff, Tehama County, one hundred dollars and seventy-five cents.
Chronicle-Union, Bridgeport, Mono County, one hundred dollars and seventy-five cents.
Republican Press, Ukiah, Mendocino County, one hundred and three dollars and sixty cents.

Free Press, Ventura, Ventura County, one hundred and five dollars.
Free Press, Redding, Shasta County, one hundred and five dollars.
Mountain Echo, Angels, Calaveras County, one hundred and six dollars and sixteen cents.

Tidings, Grass Valley, Nevada County, one hundred and eight dollars.
Farmer, Yuba City, Sutter County, one hundred and ten dollars and fifty cents.
Chronicle, Vallejo, Solano County, one hundred and fourteen dollars.
Register, Napa, Napa County, one hundred and sixteen dollars.
Gazette, Anaheim, Los Angeles County, one hundred and twenty dollars.
Express, Los Angeles, Los Angeles County, one hundred and twenty-one dollars and twenty cents.

Argus, Alameda, Alameda County, one hundred and twenty-one dollars and fifty cents.
Republican, Stockton, San Joaquin County, one hundred and twenty-two dollars.
Sentinel, Santa Cruz, Santa Cruz County, one hundred and twenty-six dollars.
Californian, Bakersfield, Kern County, one hundred and twenty-six dollars.
National Bulletin, Quincy, Plumas County, one hundred and thirty-one dollars and fifty cents.

Independent, Santa Barbara, Santa Barbara County, one hundred and fifty dollars.
Cypress, Monterey, Monterey County, one hundred and fifty-three dollars.
Independent, Sonora, Tuolumne County, one hundred and fifty-five dollars.
Abend Post, San Francisco, San Francisco County, one hundred and fifty-six dollars.
Ledger, Jackson, Amador County, one hundred and fifty-six dollars.
Mercury, San José, Santa Clara County, one hundred and fifty-nine dollars and twenty-five cents.

Appeal, Marysville, Yuba County, one hundred and sixty dollars.
Herald, Modesto, Stanislaus County, one hundred and sixty-two dollars.
Republican, Santa Rosa, Sonoma County, one hundred and seventy-one dollars and fifty cents.

Tribune, San Luis Obispo, San Luis Obispo County, one hundred and eighty-one dollars and fifty cents.

Free Lance, Hollister, San Benito County, one hundred and eighty-one dollars and fifty cents.

Star, Merced, Merced County, one hundred and ninety-two dollars and fifty cents.
Bee, Sacramento, Sacramento County, two hundred and forty-eight dollars and twenty-five cents.

Report, San Francisco, San Francisco County, two hundred and fifty dollars.
Journal, Weaverville, Trinity County, two hundred and fifty-six dollars.
San Bernardino, San Bernardino County, Daily Evening Gazette, eighty-eight dollars and forty cents.

Orange, Santa Ana, Orange County, Herald, one hundred and sixteen dollars and twenty-five cents.

SEC. 2. The Controller of State is hereby authorized to draw his warrants for the sums herein appropriated, and the Treasurer of State is directed to pay the same.

SEC. 3. This Act shall take effect immediately.

Committee Substitute for Senate Bill No. 231 read.

MOTION.

Senator Burke moved to re-refer Committee Substitute for Senate Bill No. 231 to the Committee on Finance, with instructions to readjust the several items.

Lost.

AMENDMENT.

Senator Flint moved to amend, as follows:

By inserting after line sixty-nine, page three, the words:
"New Era, Monterey, Monterey County, one hundred and fifty-three dollars."

Adopted.

Substitute as amended adopted, ordered printed and engrossed as amended, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Also: Substitute for Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

Also: Substitute for Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of the Debris Commissioners, and to make an appropriation to be expended under their directions in the discharge of their duties as such Commissioners.

Also: Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

RAGSDALE, Chairman.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Raggsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act.

The following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 239.

An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of eighteen thousand eight hundred and fourteen dollars and sixty-eight cents is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the following bills for printing and advertising the San Francisco Depot Act:

Herald, Nevada City, Nevada County, one hundred and seven dollars.

Record, Crescent City, Del Norte County, one hundred and ten dollars and twenty-five cents.

Enterprise, Chico, Butte County, one hundred and thirty-three dollars.

Times-Mirror, Los Angeles, Los Angeles County, one hundred and thirteen dollars and seventy-five cents.

Times, Eureka, Humboldt County, one hundred and thirty-six dollars.

Advocate, Susanville, Lassen County, one hundred and forty-seven dollars.
Register, Tulare, Tulare County, one hundred and forty-seven dollars.
Sun, Colusa, Colusa County, one hundred and fifty dollars.
Sentinel, Red Bluff, Tehama County, one hundred and fifty-three dollars and seventy-five cents.
Enquirer, Oakland, Alameda County, one hundred and sixty-two dollars.
Gazette, Martinez, Contra Costa County, one hundred and sixty-two dollars and forty cents.
Argus, Petaluma, Sonoma County, one hundred and sixty-eight dollars.
Blade, Santa Ana, Orange County, one hundred and seventy-five dollars.
Times-Index, San Bernardino, San Bernardino County, one hundred and seventy-five dollars.
Republican, Placerville, El Dorado County, one hundred and eighty-one dollars and twenty-five cents.
Press, Santa Barbara, Santa Barbara County, one hundred and eighty-two dollars.
Union, San Diego, San Diego County, one hundred and eighty-two dollars.
Index, Independence, Inyo County, one hundred and eighty-two dollars.
Journal, Willows, Glenn County, one hundred and eighty-two dollars.
Journal, Yreka, Siskiyou County, one hundred and eighty-two dollars.
Republican Press, Ukiah, Mendocino County, one hundred and eighty-four dollars and eighty cents.
Republican, Fresno, Fresno County, one hundred and eighty-nine dollars.
Free Press, Ventura, Ventura County, one hundred and eighty-nine dollars.
New Era, Alturas, Modoc County, one hundred and eighty-nine dollars.
National Bulletin, Quincy, Plumas County, one hundred and eighty-nine dollars and sixty cents.
Chronicle, Vallejo, Solano County, one hundred and ninety-five dollars.
Gazette, Mariposa, Mariposa County, two hundred dollars.
Argus, Auburn, Placer County, two hundred and four dollars and eighteen cents.
Register, Napa, Napa County, two hundred and eight dollars.
Chronicle-Union, Bridgeport, Mono County, two hundred and nine dollars and twenty-five cents.
Mail, Woodland, Yolo County, two hundred and ten dollars and fifty cents.
Journal, San Rafael, Marin County, two hundred and twelve dollars.
Telegraph, Grass Valley, Nevada County, two hundred and twenty-four dollars.
Times-Gazette, Redwood City, San Mateo County, two hundred and twenty-seven dollars and fifty cents.
Independent, Stockton, San Joaquin County, two hundred and thirty-four dollars.
Mail, Stockton, San Joaquin County, two hundred and thirty-four dollars.
Mountain Messenger, Downieville, Sierra County, two hundred and thirty-eight dollars and fifty cents.
Express, Los Angeles, Los Angeles County, two hundred and forty-two dollars and twenty-five cents.
Republican, Santa Rosa, Sonoma County, two hundred and forty-five dollars and seventy cents.
Free Press, Redding, Shasta County, two hundred and forty-seven dollars and twenty-five cents.
Californian, Bakersfield, Kern County, two hundred and sixty-two dollars and fifty cents.
Prospect, San Andreas, Calaveras County, three hundred and one dollars.
Chronicle, Mokelumne Hill, Calaveras County, three hundred and one dollars.
Ledger, Jackson, Amador County, three hundred and twelve dollars.
Farmer, Yuba City, Sutter County, three hundred and twenty dollars.
Herald, Modesto, Stanislaus County, three hundred and forty-four dollars and twenty-five cents.
Argus, Alameda, Alameda County, three hundred and forty-four dollars and twenty-five cents.
Pajaronian, Watsonville, Santa Cruz County, three hundred and fifty-one dollars.
Record, Sutter Creek, Amador County, three hundred and sixty-four dollars and fifty cents.
Sentinel, Santa Cruz, Santa Cruz County, three hundred and sixty-nine dollars.
Independent, Sonora, Tuolumne County, three hundred and seventy-eight dollars.
Star, Merced, Merced County, three hundred and seventy-eight dollars.
Free Lance, Hollister, San Benito County, three hundred and eighty-seven dollars and fifty cents.
Tribune, San Luis Obispo, San Luis Obispo County, three hundred and ninety-eight dollars and twenty-five cents.
Mercury, San José, Santa Clara County, four hundred and five dollars.
Index, Salinas City, Monterey County, four hundred and six dollars.
Appeal, Marysville, Yuba County, four hundred and forty-two dollars.
Journal, Weaverville, Trinity County, four hundred and fifty-nine dollars.
Avalanche, Lakeport, Lake County, four hundred and ninety-three dollars and fifty cents.
Tribune, Oakland, Alameda County, five hundred and twenty dollars.
Bee, Sacramento, Sacramento County, five hundred and forty-six dollars.
Record-Union, Sacramento, Sacramento County, five hundred and forty-six dollars.

Chronicle, San Francisco, San Francisco County, five hundred and fifty-six dollars and forty cents.

Examiner, San Francisco, San Francisco County, five hundred and fifty-six dollars and forty cents.

Bulletin, San Francisco, San Francisco County, five hundred and fifty-six dollars and forty cents.

Call, San Francisco, San Francisco County, five hundred and fifty-six dollars and forty cents.

Post, San Francisco, San Francisco County, five hundred and fifty-six dollars and forty cents.

SEC. 2. The Controller of State is hereby authorized to draw his warrants for the sums herein payable, and the Treasurer of State is directed to pay the same.

SEC. 3. This Act shall take effect immediately.

Committee Substitute for Senate Bill No. 239 was read, adopted, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 623—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry, for the wages of station employes at Chico and Santa Monica.

Passed on file.

FIRST READING OF BILLS.

Senate Bill No. 464—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Read first time, and placed on file for second reading.

Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier, for the forty-third and forty-fourth fiscal years.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for the use of the State Printing Department.

Passed on file.

Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court Reports.

Read second time, and ordered to engrossment and to a third reading.

FIRST READING OF BILL.

On motion of Senator Voorheis, Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments—was taken up, read first time, and placed on file for consideration with the other advertising bills acted upon this day.

POSTPONEMENT.

At two o'clock p. m. Senator Gesford moved that the special order set for this hour, viz.: Assembly Concurrent Resolution No. 7, be postponed and made a special order for Thursday next at three o'clock and thirty minutes P. M.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Senator McGowan in the chair.

AMENDMENT BY SPECIAL COMMITTEE OF ONE.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Senator Voorheis, the "committee of one," moved to amend as follows:

By striking out of section one, line one, the words "two thousand two hundred dollars" and inserting the following: "one thousand three hundred dollars."

Adopted.

Bill ordered printed and reëngrossed as amended.

ON FINAL PASSAGE.

Senate Bill No. 277—An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889.

Senator Maher moved that the consideration of Senate Bill No. 277 be made a special order for Friday next, at three o'clock and thirty minutes P. M.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arms, Broderick, Carpenter, Dunn, Flint, Ford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Simpson, Streeter, and Williams—15.

NOES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Earl, Fay, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, Orr, Ostrom, Ragsdale, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—21.

MOTION.

Senator Maher moved to strike out the enacting clause.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Fay, Ford, Gesford, Goucher, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Simpson, Voorheis, and Williams—25.

NOES—Messrs. Bailey, Broderick, Harp, Langford, Ostrom, Whitehurst, and Wilson—7.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

On motion of Senator Carpenter, Senate Bill No. 18 was passed on file.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

The bill having been read the third time on a previous day, the question was on its final passage.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Senator Burke moved that the title be amended as follows:

Amend by striking out of first line of the title the words: "five, seven, and ten."

Adopted.

Title as amended approved, and bill ordered to print and reëngrossment.

Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read third time.

The roll was called, and pending the announcement of the vote, Senator Maher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

On motion of Senator Maher, further proceedings under the call of the Senate were dispensed with.

The Chair then announced the vote on the final passage of Senate Bill No. 76, and declared it finally passed by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Carpenter, Dunn, Everett, Flint, Gesford, Goucher, Hoyt, McAllister, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Streeter, Voorheis, Whitehurst, and Williams—21.

NOES—Messrs. Bailey, Berry, Burke, Campbell, Denison, Earl, Fay, Ford, Harp, Langford, McGowan, Martin, Mathews, Seymour, Simpson, and Wilson—16.

Title read and approved.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file, to retain its place.

Senate Bill No. 105—An Act to prevent the use of fraudulent marks on merchandise.

Passed on file, to retain its place.

Senate Bill No. 133—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Passed on file, to retain its place.

Senate Bill No. 278—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Passed on file, to retain its place.

Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Read third time, and on motion of Senator Whitehurst, was referred to Senator Flint, as a committee of one, to amend as follows:

Insert after the word "village," in line six, "except it be in a cemetery, the construction and operation of which is satisfactory to the Board of Health in such city, town, or village."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your committee of one, to whom was referred Senate Bill No. 220, with instructions to amend, respectfully reports the same back amended as per instructions.

FLINT, Committee.

Report of committee of one and amendment adopted.

Bill ordered printed and reingrossed as amended.

Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisement of estates of deceased persons.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Earl, Ford, Gesford, Goucher, Hart, Hoyt, McAllister, McGowan, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, and Wilson—23.

NOES—Messrs. Biggy, Broderick, Carpenter, Dunn, Everett, Fay, Flint, and Mitchell—8.

Title read and approved.

Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—31.

NOES—Messrs. Broderick, Carpenter, and Everett—3.

Title read and approved.

Senate Bill No. 306—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read third time.

The roll was called on the final passage of the bill.

CALL OF THE SENATE.

Before the vote was announced, Senator Ford moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

MESSRS. ARMS, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The doors were ordered closed, and a list of the absentees was furnished the Sergeant-at-Arms, whereupon Senator Hart, one of the absentees, was brought before the Senate, explained his absence satisfactorily, and was thereupon excused.

Senator Ford moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

MOTION.

Senator Ostrom moved that the special order set for consideration at three o'clock and thirty minutes P. M. this day be postponed until after the matter now being considered was disposed of.

So ordered.

The Chair then announced that the Senate refused the final passage of Senate Bill No. 306 by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, McGowan, Maher, Mahoney, Ostrom, Ragsdale, Simpson, and Streeter—13.

NOES—Messrs. Berry, Biggy, Burke, Dunn, Everett, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, Martin, Mathews, Mitchell, Orr, Shippee, Voorheis, Whitehurst, and Wilson—21.

NOTICE OF RECONSIDERATION.

Senator Ford gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 306 was this day refused final passage.

Senator Carpenter asked unanimous consent to submit a report of the Committee on Corporations, and offered a resolution therewith.

Granted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

MR. PRESIDENT: Your Committee on Corporations, having had under consideration Assembly Bill No. 10, "An Act in relation to reassessment of property, and the equalization of the same in cases where a former assessment is invalid or void, and in relation to collection of taxes on said reassessments," and having agreed to report to the Senate a substitute bill, and recommend that such substitute do pass, submit the following report:

The committee in the investigation of said bill has taken a large amount of testimony of witnesses subpoenaed by the committee, and has had before it documentary evidence from different departments of the State Government, including the special report of the Attorney-General of the State of California on railroad tax cases and railroad taxation, dated January 17, 1893, and from such testimony, and the judicial records and decisions of this State and of the United States, find the following facts:

That since the adoption of the new Constitution there has been a difference of opinion between the owners of certain railroad properties assessed by the State Board of Equalization and certain officials of the State of California as to the proper method of executing the provisions of the Constitution of the State of California, pertaining to the assessment and collection of taxes upon railroads operated in more than one county.

That for the years 1880, 1881, 1882, 1883, 1884, 1885, 1886, and 1887 a great number of suits were brought by the State against said railroads for the collection of taxes levied upon the various assessments of those years, and that the litigation has been extended and expensive. That in such litigation, up to the year 1885, the railroads either paid in full or a portion of the taxes, or made tenders in Court of a considerable part of the taxes claimed.

That the result of such litigation was that the assessments for said years prior to 1885 were judicially determined to be invalid; the said payments and tenders were accepted by the State and the money paid into the treasury.

That said judgments and orders rendered in said causes have become final and conclusive upon all the parties.

Under an Act of the Legislature, approved April 23, 1880, authorizing any county, or city and county, where a tax was delinquent, to sue in its own name for the recovery thereof, whether the same be for county, or for city and county, and State purposes or taxes, or either of them, sixty-three actions were commenced by the District Attorneys of the respective counties of the State in the Superior Courts, for the recovery of the delinquent taxes alleged to be due from the Southern Pacific Railroad Company and the Central Pacific Railroad Company, under assessments made by the State Board of Equalization upon their respective franchises, roadways, roadbeds, rails, and rolling stock, for the years 1880, 1881, and 1882. The fences of the railroad companies were estimated as a part of the property, and were assessed as such by said State Board of Equalization. All these cases were subsequently transferred to the Circuit Court of the United States, and came on regularly for trial in that Court, and the parties waiving a jury, each and all of them were submitted to the Court for decision.

On the twenty-eighth day of February, 1884, the Court ordered that judgment be entered in favor of the defendants in all the actions; but before judgment was so entered, on February 29, 1884, a stipulation was presented to the Court, signed by the attorney for the defendants, and by the Attorney-General of the State for the plaintiffs, agreeing that notwithstanding the decision of the Court, judgment should be entered in favor of the plaintiff in the respective actions for the face of the taxes; and the Circuit Court thereupon vacated the order theretofore entered for judgment in favor of the defendants, and made and entered judgment in favor of the plaintiffs in said actions, for the face of the taxes, and apportioned the amounts of the respective sums between the State and the respective counties. The amount of the judgments thus rendered and entered by the Circuit Court was one hundred and forty thousand six hundred and eighty-five dollars and twenty cents, being the balance then remaining due and unpaid on the face of the taxes, and was subsequently wholly paid to the Attorney-General of the State by the defendants.

It was also stipulated that test cases should be taken to the Supreme Court of the United States, and that the action of the Circuit Court in rendering the judgments aforesaid for the face of the taxes should, in no way, prejudice the right of the State to recover penalties, interest, and attorneys' fees.

Under and in accordance with the last-named stipulation, three cases were taken by writ of error to the Supreme Court, viz.: Santa Clara County vs. The Southern Pacific Railroad Company, California vs. The Central Pacific Railroad Company, and California vs. The Southern Pacific Railroad Company. In the action by Santa Clara County the amount claimed was thirteen thousand three hundred and sixty dollars and fifteen cents, for the fiscal year 1882. In the other case against the same company, the amount claimed was five thousand and twenty-nine dollars and twenty-seven cents, for the fiscal year 1881. In the action against the Central Pacific Railroad Company, twenty-five thousand nine hundred and fifty dollars and fifty cents was claimed for the fiscal year 1881. In all the cases judgment was asked for a penalty of five per cent, interest at two per cent a month, and attorneys' fees. The case was argued and decided at the October term, 1885, of the Supreme Court of the United States. In the opinion, the Court says:

"The case as presented to the Court below was therefore one in which the plaintiff sought judgment for the entire tax arising upon the assessment of different kinds of property as a unit. Such assessment included property not legally assessable by the State Board; and a part of the tax assessed against the latter property not being separable from the other part; upon such an issue the law, we think, is for the defendant. An assessment of that kind is invalid, and will not support an action for the recovery of the entire tax so levied. It results that the Court below might have given judgment in each case for the defendant, upon the ground that the assessment, which was the foundation of the action, included property of material value which the State Board was without jurisdiction to assess, and the tax levied upon which cannot, from the records, be separated from that imposed upon other property embraced in the same assessment. As the judgment can be sustained upon this ground, it is not necessary to consider any other questions raised by the pleadings and the facts found by the Court. It follows that there is no occasion to determine under what circumstances the plaintiffs would be entitled to judgment against a delinquent taxpayer for penalties, interest, or attorneys' fees; for, if the plaintiffs are not entitled to judgment for the taxes arising out of the assessment in question, no liability for penalties, interest, or attorneys' fees could result from a refusal or failure to pay such taxes. Judgment affirmed." (118 U. S. Reports, p. 417.)

As to the liability of companies for penalties, interest, and attorneys' fees, in case of invalid assessment, the point is directly made and decided in the case of *San Bernardino County vs. Southern Pacific Railroad*, 118 U. S. Reports, p. 417, in which the Court said:

"Of course no penalties for not paying an illegal tax, and no attorneys' fees charged for an attempt to collect them, could be recovered; and for a like reason, the interest of two per cent a month claimed could not be demanded."

That decision disposed of all the cases brought by the respective counties or the State against the Pacific Railroad Companies for the years 1880, 1881, and 1882.

There were also pending, on the twenty-ninth day of September, 1881, in the Circuit Court of the United States for California, six certain other cases prosecuted by the People of the State of California against the railroad corporations for the collection of delinquent taxes for the fiscal year 1883. Each of said cases was originally commenced in one of the superior courts of the State by attorneys employed for that purpose by the State Controller, and were subsequently transferred, on motion of the defendants therein, to the Circuit Court; and in that Court, on the twenty-ninth day of September, 1884, an order was made and entered in one of said last named six cases, that the defendant corporations having tendered in their answers, on the ninth day of November, 1883, and offered to pay the sum of three hundred and thirty-three thousand three hundred and seventy-seven dollars and ten cents; that said defendants in their several answers having averred that they had brought the said sum into Court, and offered the same to the plaintiff, and subjected the same to such orders or judgments as the Court might make in the premises; that upon motion of attorneys for plaintiff, it was ordered by the Court that the defendant, within five days from the date of said order, make such tender good, by paying to E. C. Marshall, Attorney-General of the State, the sum of three hundred and thirty-three thousand three hundred and seventy-seven dollars and ten cents, to be by said Marshall paid into the State Treasury of California for the benefit of said State and the counties respectively entitled thereto. And it was further ordered that neither the payment nor the receipt of said sum should prejudice or affect any right of either party to maintain or defend as to the balance claimed in the complaint.

The amount thus ordered to be paid by the Circuit Court amounted to sixty per cent of the face of the taxes, and was paid to the Attorney-General by the defendant corporations in the actions within the five days mentioned in the order.

On the sixteenth day of September, 1885, in the Circuit Court of the United States for the State of California, five certain other cases were commenced, removed, and prosecuted as were the six cases last referred to, and in which similar proceedings were had, except that the amount ordered to be paid to the Attorney-General by the respective defendants, and which was so paid, was the sum of three hundred and twenty-nine thousand five hundred and twenty dollars and sixty-three cents, and was fifty per cent of the face of the taxes. The Circuit Court rendered judgment for the defendants in all of the cases, and the State took the cases to the Supreme Court.

Numbers 660 and 1,157 on the docket of the Supreme Court are the cases in which the tenders were made and accepted by the State, for the taxes of 1883 and 1884. (127 U. S. Reports, p. 1.)

The Circuit Court found in cases Nos. 660 and 1,157, and others, that an assessment made by the State Board of Equalization for the years 1883 and 1884 included the full value of all the franchises and corporate powers held and exercised by the defendants. Mr. Justice Bradley, speaking for the Court, says:

"Assuming, then, that the Central Pacific Railroad Company has received all the important franchises referred to, by grant of the United States, the question arises whether they are legitimate subjects of taxation by the State. They were granted to the company for national purposes, to subserve national ends. It seems very clear that the State of California can neither take them away, nor destroy, nor prejudice them, nor cripple them by onerous burdens. Can it tax them? It may undoubtedly tax outside, visible property of the company situated within the State. That is a different thing. But may it tax franchises which are a grant of the United States? In our judgment it cannot." (127 U. S. Reports, p. 40.)

In brief, the Court decides that both the Central Pacific and the Southern Pacific held franchises from the Federal Government, which franchises were not subjects of taxation by the State of California.

The opinion concludes as follows:

"It follows in each one of the cases now before us that the assessment made by the State Board of Equalization comprised the value of the franchises, or property which the Board was prohibited by the Constitution of the State and of the United States from including therein, and that these values are so blended with the other items on which the assessment is based that they cannot be separated therefrom. The assessments are therefore void. This renders it unnecessary to express any opinion on the application of the Fourteenth Amendment, as the result would not be different whatever view we might take of that subject. The judgments in all the cases are affirmed."

As a matter of law, your committee are of the opinion, from the adjudications in these several cases, that as to the taxes of 1880, 1881, and 1882, judgments having been entered for the face of the taxes, and paid, and the Supreme Court of the United States having decided that the assessments were void, the State has no claim for taxes, penalties, interest, or attorneys' fees, either in law or equity, for said years, or any standing upon which to reassess said properties for said years.

Your committee are further of the opinion, as a matter of law, that as to the taxes for 1883 and 1884, suits having been brought, the causes removed to the Circuit Court, and tenders having been made of a part of the amount claimed, by the defendants, those tenders paid into the said Court upon its order, and having been accepted by the State, the judgments in said causes having been rendered in favor of the defendants and against the State, and upon appeal to the Supreme Court of the United States those judgments having been affirmed, the State has now no claim, either in law or equity, for the taxes, penalties, interest, or attorneys' fees against the defendants for the years 1883 and 1884, or any standing upon which to reassess said properties for said years.

Suits were brought in the Superior Courts of the State by the People of the State on the relation of the State Controller, against the Central and Southern Pacific Companies to recover the taxes of 1885. The cases were transferred to the United States Circuit Court for the Ninth District, and judgments were rendered therein against the State in all the cases. The judgments in those cases are final, or have been taken to the Supreme Court by writ of error, and affirmed.

That, in the opinion of your committee, to pass a law attempting to reassess said properties and collect the taxes thereon for any period of time prior to the year 1885, would place the State of California in the attitude of being in conflict with the judgments, orders, and decisions of the Courts of the United States, and would result in nothing except extended litigation exceedingly expensive to the State, without adding anything to the revenues of the State.

Your committee further find that for the years 1885, 1886, and 1887 the Central and Southern Pacific Companies paid nothing on account of State and county taxes assessed by the State Board of Equalization against them, except forty-nine thousand dollars, the taxes for the three years upon three small railroads of their system, which, as to such roads, was payment in full.

That a suit was brought by the proper authorities in the Superior Court of the City and County of San Francisco, for the taxes claimed to be due from such companies for the year 1886. The case was appealed to the Supreme Court, and that Court held that the scheme for the assessment, levy, and collection of taxes on roads situated in more than one county, prescribed by sections three thousand six hundred and sixty-five to three thousand six hundred and seventy, inclusive, of the Political Code, was unconstitutional, as being special legislation, not authorized by section twenty-five of article four of the Constitution.

The Court, speaking by Mr. Justice Fox, said:

"This legislation also provides a mode of collection differing from that found in the general law on the subject; not necessary for the purpose of carrying into effect any of the provisions of article thirteen of the Constitution, and 'special' because not applicable to all property, or even to railroad property generally, but only to such railroad property as is situated or operated in two or more counties. For this reason it is in direct conflict with, and is specially forbidden, by subdivision ten of section twenty-five of article four of the Constitution. It is, therefore, void, and furnishes no cause of action upon which suit can be maintained under it." (The People vs. Central Pacific Railroad Company, 83 Cal., p. 393.)

The same laws were in force in the years 1885, 1886, and 1887, and still remain, and in the principal respect, declared by said Court to be invalid, have not been altered by subsequent legislation.

That there is, therefore, now no means provided by law for the enforcement of the claim of the State for taxes claimed upon said properties for the year 1885, or any subsequent year.

That from the evidence before the committee, it appears, that upon the advice of the then Attorney-General and other counsel employed by the State, the assessment of said properties for said three years, as to each of said properties, was an assessment in gross, fixing the value in a single item for the franchise, roadway, roadbed, rails, and rolling stock of each of said roads.

That included in said assessment of the Central Pacific Railroad and Southern Pacific Railroad was an estimated value of the Federal franchise, an element of value, which, as has been before shown, is not subject to taxation. That, therefore, the entire

AYER—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Everett, Fay, Flint, Ford, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—23.

NOES—Messrs. Carpenter, Goucher, Harp, Mitchell, Orr, Seymour, and Streeter—7.

Title read and approved.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Seymour was granted unanimous consent to withdraw Senate Bill No. 164—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 17, 1887, providing for the disorganization of irrigation districts—number 164 on file, and substitute therefor on file Senate Bill No. 561—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Senate Bill No. 164 was withdrawn.

REPORT OF JOINT COMMITTEE.

Senator Flint, in behalf of the select joint committee, submitted the following report:

To the Senate and Assembly of the State of California:

Your joint committee appointed to make the necessary arrangements for a joint session of the Legislature, memorializing the death of James G. Blaine, respectfully report as follows:

Both houses of the Legislature shall assemble at ten o'clock and thirty minutes A. M. on Wednesday, February 22, 1893, in joint memorial session, when and where the following programme of exercises shall be carried out:

1. Reading and adoption of memorial resolutions.
2. Song by male choir.
3. Invocation, Rev. J. L. Levy.
4. Song, male choir.
5. Memorial address, Senator G. G. Goucher.
6. Song, male choir.
7. Benediction.

Your committee recommends that Senators and Assemblymen meet at ten o'clock in the Senate Chamber, and from thence enter the Assembly Chamber two by two, in the following order:

1. President of Senate and Speaker of Assembly.
2. Senators.
3. Assemblymen.

Your committee recommends further, that the Sergeant-at-Arms of each house be instructed to arrange and provide seats in the Assembly Chamber, for the occasion.

And your committee further requests that they be authorized to incur such expenses as may be necessary for said memorial exercises, the same to be paid equally from the Contingent Fund of each house.

FLINT.
GESFORD.
MAHER.
FINLAYSON.
BUCKLEY.
LYNCH.

Report unanimously concurred in and adopted by the Senate.

RESOLUTIONS.

By Senator Harp:

Resolved, That Mrs. Carrie Murray be and is hereby appointed Assistant Journal Clerk of the Senate, at the same per diem as the other Assistant Journal Clerks, payable out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Streeter:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of the Sergeant-at-Arms, for the sum of one hundred and thirty-five dollars and twenty cents, and the Treasurer is directed to pay the same out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of the Pacific Postal Telegraph Company, for the sum of thirty-seven dollars and forty cents, and the Treasurer is directed to pay the same out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Campbell:

Resolved, That Charles Robinson be and is hereby appointed Porter for the Senate gallery, at a per diem of \$4, payable out of the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SENATE CONCURRENT RESOLUTION.

By Senator Burke: Senate Concurrent Resolution No. 6—

Resolved by the Senate, the Assembly concurring, That the Legislature, in thirtieth session assembled, adjourn *sine die* Saturday, March 4, 1893, at twelve o'clock p. m. of said day.

Senator Broderick moved that the resolution be referred to Committee on Attachés, Contingent Expenses, and Mileage.

AYES AND NOES.

The ayes and noes were demanded by Senators Broderick, Everett, and Goucher.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Campbell, Carpenter, Dunn, Flint, McGowan, Ragsdale, Seawell, Whitehurst, and Williams—9.

NOES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Denison, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Streeter, Voorheis, and Wilson—25.

Senator Goucher moved the adoption of the resolution.

AYES AND NOES.

The ayes and noes were demanded by Senators Mahoney, Voorheis, and Harp.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Everett, Flint, Ford, Gesford, Goucher, Harp, McAllister, Maher, Mahoney, Martin, Orr, Ostrom, Seymour, Streeter, Voorheis, Whitehurst, and Wilson—24.

NOES—Messrs. Broderick, Carpenter, Dunn, Earl, Fay, Langford, McGowan, Mathews, Mitchell, Ragsdale, Seawell, Simpson, and Williams—13.

RESOLUTIONS.

By Senator Campbell:

Resolved, That on and after the 20th inst. the Senate shall hold evening sessions, beginning at seven o'clock and thirty minutes P. M.; *provided*, that no evening sessions shall be held on Saturdays.

Senator Ragsdale moved to amend by making it read the "15th inst.," instead of the "20th inst."

AYES AND NOES.

The ayes and noes were demanded by Senators Ragsdale, Voorheis, and Denison.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arms, Broderick, Carpenter, Denison, Goucher, Orr, Ragsdale, and Voorheis—8.

NOES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Dunn, Earl, Fay, Ford, Gesford, Harp, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—27.

Senator Carpenter moved to amend by striking out the following:

Provided, That no evening sessions shall be held on Saturdays.

AYES AND NOES.

The ayes and noes were demanded by Senators Ford, Mahoney, and Whitehurst.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—28.

NOES—Messrs. Arms, Bailey, Flint, Ford, Maher, Martin, Mathews, Streeter, and Whitehurst—9.

The question then recurring on the adoption of the original resolution as amended, the same was adopted.

RESOLUTION.

By Senator Seymour:

Resolved, That the Controller be and he is hereby allowed to draw his warrant in favor of E. C. Seymour, the Chairman of the Committee on State Prisons and Prison Buildings, for the amount of three hundred and eighty-seven dollars and sixty cents (\$387 60), for expenses incurred in cordage case, and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

Witnesses before the Committee on State Prisons and Prison Buildings.

Chas. Sonntag, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	\$20 80
Edgar J. DePue, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	20 80
Daniel E. Hayes, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	20 80
Chas. Aull, Folsom, Cal., 2 days, \$4; mileage, \$4 40.....	8 40
A. N. Peach, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	20 80
M. F. Kopp, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	20 80
J. P. Mallon, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	20 80
H. J. Cortsen, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	20 80
M. S. Kopp, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	20 80
C. W. Kellogg, San Francisco, Cal., 2 days, \$4; mileage, \$16 80.....	20 80
Total	\$195 60

Also: Mileage of Thomas Rodgers, Sergeant-at-Arms, on the following:

Chas. Sonntag, San Francisco, 84 miles; Edgar J. DePue, San Francisco, 84 miles; Daniel E. Hayes, San Francisco, 84 miles; Chas. Aull, Folsom, 22 miles; A. N. Peach, San Francisco, 84 miles; M. F. Kopp, San Francisco, 84 miles; J. P. Mal- lon, San Francisco, 84 miles; H. J. Cortsen, San Francisco, 84 miles; M. S. Kopp, San Francisco, 84 miles; C. W. Kellogg, San Francisco, 84 miles; Wm. Rutherford, Oakland, 91 miles; W. R. Emory, Oakland, 91 miles.....	\$192 00
Total	\$387 60

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

NOTICE OF RECONSIDERATION.

Senator Maher gave notice that on to-morrow he would move a recon- sideration of the vote whereby Senate Concurrent Resolution No. 6 was this day adopted.

RESOLUTION.

By Senator Orr:

Resolved, That the Clerk of the Senate be and he is hereby instructed to have prepared a list of identical bills now on file.

Adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Senate Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

VOORHEIS, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Ford: Senate Bill No. 690—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876.

Referred to Committee on Judiciary.

By Senator Voorheis: Senate Bill No. 691—An Act to amend an Act to establish a uniform system of county and township governments, approved March 31, 1891.

Referred to Committee on County Government and Township Organization.

Also: Senate Bill No. 692—An Act to limit the speed of street railroads in cities and towns of more than one hundred thousand inhabitants.

Referred to Committee on Corporations.

ADJOURNMENT.

At four o'clock and twenty minutes P. M., on motion of Senator Flint, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 15, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

CORRECTION OF JOURNAL.

Senator McAllister stated that he was not present to sign the minority report on Senate Bill No. 173, and asked that the Journal of Saturday, February 11, 1893, be corrected so as to show that he had signed same.

So ordered.

Senator Seawell stated that on Monday, February 13, 1893, he offered an amendment to the Committee Substitute for Senate Bills Nos. 157, 372, 373, and 441, and that the roll call on said amendment shows that he voted against said amendment; that he changed his vote from aye to no in order to move a reconsideration of the vote by which said amendment was lost, but that the President ruled that such motion would be out of order on second reading of bills, hence the motion was not made.

SEC. 3. Section twenty-six hundred and forty-three of said Act is hereby amended to read as follows:

2643. The Boards of Supervisors of the several counties of the State shall have general supervision over the roads within their respective counties. They must, by proper order:

1. Cause to be surveyed, viewed, laid out, recorded, opened, and worked, such highways as are necessary to public convenience, as in this chapter provided.

2. Cause to be recorded as highways such roads as have become such by usage, dedication, or abandonment to the public. Also all such streets and roads as have been or may be declared such under section seventeen hundred and sixty-four of the Code of Civil Procedure.

3. Abolish or abandon such as are not necessary.

4. Contract, agree for, purchase, or otherwise acquire the right of way over private property, for the use of public highways, and for that purpose institute, or require the District Attorney to institute, proceedings under title seven, part three, of the Code of Civil Procedure, and to pay therefor from the District Road Fund of the particular district.

5. Levy a property tax for road purposes.

6. In their discretion, cause to be erected and maintained on the highways they may designate, mile-stones, or posts, or guide posts properly inscribed.

7. Cause the road tax collected each year to be apportioned to the several road districts entitled thereto, and kept by the Treasurer in separate funds.

8. Audit all claims on the funds of the respective road districts, when required to pay for work or improvements thereon.

9. In their discretion, they may provide for the establishment of gates on the public highways in certain cases to avoid the necessity of building road fences, and prescribe rules and regulations for closing the same, and penalties for violating said rules; *provided*, that the expense for the erection and maintenance of such gates shall, in all cases, be borne by the party or parties for whose immediate benefit the same shall be ordered.

10. For the purpose of watering roads in any part of the county, the Supervisors may erect and maintain waterworks, and for such purpose may purchase or lease real or personal property. The costs for such waterworks and the watering of said roads may be charged to the General County Fund, the General Road Fund, and the District Fund of the district or districts benefited.

11. In their discretion, they may advertise for bids to grade, turnpike, gravel, or sprinkle any road or roads in any road district, which contract shall be let to the lowest responsible bidder; *provided*, the Board may reject any or all bids, whenever it shall appear to them that the same are too high. The advertisement for such bids shall specify the road or roads upon which such work is to be done, the kind, character, and extent of the same, so as to plainly indicate to bidders the work to be bid for; and shall, when in their judgment the same is necessary, cause the County Surveyor to survey and furnish a profile of the proposed work, showing cuts, fills, and grade as fully as practicable, which profile shall be open to inspection at the office of the Board of Supervisors. When such work is completed, the same shall be inspected by the Board of Supervisors, or by a committee of the Board appointed by the Chairman to inspect and report upon the same. And no payment shall be paid for such work until the same has been inspected and accepted by the Board or such committee; *provided*, the Board may, in their discretion, advance not to exceed thirty per cent of the amount of such contract after the work is at least half completed. Such advertisement for bids shall be in such newspaper as the Board may designate, and be published for the period of at least two weeks, and notice of such letting shall also be posted by the Road Commissioner in three conspicuous places in the district where such work is to be done, for at least ten days before the day set for opening said bids and awarding contracts. Bids shall be inclosed in a sealed envelope, directed to the Clerk of the Board of Supervisors, and shall be indorsed across the face of the envelope, "Bids for road work, ——— District," giving the name of proper district.

Section two thousand six hundred and forty-six of said Act is hereby repealed.

SEC. 4. Section twenty-six hundred and forty-five of said Act is hereby amended to read as follows:

2645. Road Commissioners, under the direction and supervision and pursuant to orders of the Board of Supervisors, must:

1. Take charge of the highways within their respective districts, and shall employ all men, teams, watering carts, and all help necessary to do the work in their respective districts when the same is not let by contract; *provided*, that no Road Commissioners shall be interested directly or indirectly in any contract or work to be done in the road district under his charge and control.

2. Keep them clear from obstructions, and in good repair, and destroy, or cause to be destroyed, at least once a year, all thistles, Mexican cockleburrs, of any kind, and all noxious weeds growing or being on any portion of the public highways or public roads in their respective districts.

3. Cause banks to be graded, bridges and causeways to be made when necessary, keep the same in good repair, and renew them when destroyed.

SEC. 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

SEC. 6. This Act shall take effect and be in force from and after its passage.

Substitute for committee substitute was read and adopted, and the same ordered printed, and to retain its place on second reading file and be open to amendment.

MOTION.

Senator Ostrom moved that the Substitute for Committee Substitute for Senate Bills Nos. 157, 372, 373, and 441 be made the special order for Friday next, immediately after reading the Journal.

So ordered.

PRESENTATION OF PETITIONS.

Petitions were presented by Senators Bailey, Ragsdale, Denison, Campbell, Seymour, McAllister, Maher, Carpenter, McGowan, Berry, Shippee, Langford, Gesford, Harp, Streeter, Orr, Burke, Hart, Ostrom, Martin, and Seawell, requesting the passage of a law granting full suffrage to the women of California.

The petitions were all referred to the Committee on Elections.

REPORTS OF STANDING COMMITTEES.

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, February 10, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 527—An Act to amend the Political Code, changing the boundary line between the counties of Yolo and Sacramento—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

DENISON, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Also: Senate Bill No. 526—An Act authorizing persons having claims against the State, or against counties or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgment therefor.

Also: Senate Bill No. 475—An Act to add a new section to title eleven, chapter two, of part two of the Penal Code of the State of California, to be designated section one thousand four hundred and seventy-one, and relating to the filing of an undertaking on appeal in criminal cases wherein execution has been levied to collect a fine.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 55—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the San Francisco Delegation.

Also: Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes"—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Education and Public Morals.

Also: Senate Bill No. 247—An Act to amend certain sections of the Political Code, relating to the State Board of Health—have had the same under consideration, and respectfully report the same back, and recommend that the author thereof be allowed to withdraw the same, as per request.

Also: Senate Bill No. 630—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Also: Senate Bill No. 638—An Act to amend section seventy-one of the Code of Civil Procedure.

Also: Senate Bill No. 618—An Act entitled an Act to enable railroad companies to complete their railroads.

Also: Senate Bill No. 439—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Also: Senate Bill No. 500—An Act to amend section six hundred and forty-one of the Code of Civil Procedure, relating to appointments and qualifications of referees in civil actions and proceedings.

Also: Senate Bill No. 498—An Act to amend section two hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the appointment of Court Commissioners.

Also: Senate Bill No. 497—An Act to amend section five hundred and sixty-six of the Code of Civil Procedure, relating to receivers in civil actions and proceedings.

Also: Assembly Bill No. 31—An Act to amend section one hundred and fifty-nine and one half of the Penal Code, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Also: Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 337—An Act to amend sections one thousand eight hundred and eleven, one thousand eight hundred and twelve, one thousand eight hundred and thirteen, one thousand eight hundred and fourteen, one thousand eight hundred and fifteen, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, and one thousand eight hundred and nineteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Also: Senate Bill No. 629—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Also: Senate Bill No. 628—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reentry upon real property.

Also: Senate Bill No. 600—An Act to amend section seven hundred and ninety-one of the Political Code of the State of California, relating to the appointment and number of Notaries Public in the several counties of said State.

Also: Senate Bill No. 520—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public," approved March 19, 1889.

Also: Senate Bill No. 510—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Also: Senate Bill No. 542—An Act amendatory of chapter three, title four, of the Code of Civil Procedure, relative to phonographic reporters.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 541—An Act amendatory of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County Government and Township Organization.

Also: Senate Bill No. 540—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, title eleven, chapter three, article three, section one thousand three hundred and sixty-five, concerning letters of administration, to whom and in the order in which they are granted.

Also: Senate Bill No. 513—An Act to amend section two hundred and twenty-six of the Civil Code of the State of California, relating to the adoption of children, and to repeal section two hundred and thirty of the Civil Code of the State of California.

Also: Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Also: Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Also: Senate Bill No. 485—An Act to amend section two hundred of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualifications and exemptions of jurors.

Also: Senate Bill No. 465—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons.

Also: Senate Bill No. 456—An Act to provide for the publication of legal notices.

Also: Senate Bill No. 484—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of incumbered live stock.

Also: Senate Bill No. 585—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, title eleven, chapter three, article three, section one thousand three hundred and sixty-five, concerning letters of administration, to whom and the order in which they are granted.

Also: Senate Bill No. 578—An Act permitting Mrs. Emma Kelly to sue the State for damages for the death of her husband, George H. Kelly, deceased.

Also: Senate Bill No. 521—An Act relating to the trial of actions for divorce.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

McGOWAN, Chairman.

Senate Bill No. 35 re-referred to San Francisco Delegation.

Senate Bill No. 631 re-referred to Committee on Education and Public Morals.

Senate Bill No. 541 re-referred to Committee on County Government and Township Organization.

Senate Bill No. 247 was withdrawn, at request of author.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Also: Senate Bill No. 594—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CAMPBELL, Chairman.

Senate Bills Nos. 491 and 594 re-referred to Committee on Finance.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers in the harbor of San Diego—have reconsidered the same, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of navigable streams and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts, created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel."

Also: Assembly Joint Resolution No. 17—Relative to the examination or survey of the waters of the river system tributary to the bay of San Francisco.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 548—An Act to amend section two thousand five hundred and twenty of the Political Code, relating to the Board of State Harbor Commissioners, the powers, duties, and terms of office, and time of taking office—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

MAHONEY, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 327—An Act to appropriate money to pay the interest on state bonds belonging to the University of California, until the State may elect to pay the principal of said bonds.

Also: Senate Bill No. 328—An Act to amend section two thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of state property from assessment by municipal and county governments.

Also: Senate Bill No. 659—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said

series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 619—An Act entitled "An Act to amend section one thousand five hundred and seventy-seven of the Political Code, part three, title three, article five thereof, relating to new school districts"—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 386—An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887—have had the same under consideration, and respectfully report the same back, and recommend that there be substituted therefor, and take its place on the file, Senate Bill No. 650. This report is made by and with the consent of the author of said Senate Bill No. 386.

HART, Chairman.

So ordered.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Also: Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Asylum.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SIMPSON, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 604—An Act to amend section three hundred and thirty-three of the Political Code, relating to the printing of public reports.

Also: Assembly Bill No. 271—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code, relating to the printing and sale of the reports of the Supreme Court of the State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STREETTER, Chairman.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 568—An Act providing for the dissolution of certain corporations doing a banking business—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FLINT, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 108—An Act to amend section two thousand one hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to common carriers.

Also: Senate Bill No. 83—An Act to define express companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

CARPENTER, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 589—An Act to add eight new sections to the Code, relating to laying out and constructing canals, ditches, and other works—have had the same under consideration, and respectfully report the same back without recommendation.

ORR, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of February, passed Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Also: Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the forty-second and forty-third fiscal years.

Also: Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of February, passed Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for the support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of February, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Also: Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School at San José, California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth day of February, refused to have read a third time Senate Bill No. 42—An Act to amend section four thousand three hundred and ninety-two of the Political Code of the State of California, relating to the duties of City Treasurers.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth day of February, passed Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Also: Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Also: Assembly Bill No. 77—An Act to amend section ten of an Act to create a Police Court in and for the City and County of San Francisco, State of California, approved March 5, 1889.

Also: Assembly Bill No. 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Also: Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Also: Assembly Bill No. 164—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as section five hundred and seventy, relating to the appointment of receivers of the property of corporations.

Also: Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, on assignments for benefit of creditors.

Also: Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in estates of deceased persons.

Also: Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in cases of executions and attachments.

Also: Assembly Bill No. 227—An Act amending section one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Also: Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Also: Senate Bill No. 114—Relative to sale of live stock.

Also: Senate Bill No. 125—An Act to abolish commissions, or fees, paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Also: Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5; and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bills Nos. 627, 634, 635, 128, and 126 referred to Committee on Finance.

Senate Bill No. 206 ordered to enrollment.

Assembly Bills Nos. 60, 69, 96, 112, 212, 213, 214, and 227 referred to Committee on Judiciary.

Assembly Bill No. 77 referred to San Francisco Delegation.

Assembly Bill No. 164 referred to Committee on Corporations.

Assembly Bill No. 245 referred to Committee on Claims.

Senate Bills Nos. 114, 125, and 212 ordered to enrollment.

WITHDRAWAL OF BILL.

Senator Ragsdale asked unanimous consent to withdraw Substitute for Senate Bill No. 112.

Granted.

On motion of Senator Ragsdale, Assembly Bill No. 60 was substituted on file for Substitute for Senate Bill No. 112, withdrawn, and ordered read the first time.

FIRST READING OF BILL.

Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Read first time, and placed on file for second reading.

MOTION.

Senator Ford moved that Assembly Bills Nos. 227 and 96 be placed on file without reference to committee.

So ordered.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Carpenter: Senate Bill No. 682—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

Referred to Committee on Judiciary.

By Senator Eargy: Senate Bill No. 684—An Act to amend section three thousand four hundred and sixty-three of the Civil Code, relating to private remedies for public nuisances.

Referred to Committee on Judiciary.

By Senator Ames: Senate Bill No. 685—An Act appropriating money to pay the claim of E. McManis & son.

Referred to Committee on Claims.

By Senator McMillan: Senate Bill No. 686—An Act relative to the insurance of property belonging to the State.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Simpson: Senate Bill No. 687—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

Referred to Committee on Judiciary.

By Senator Matthews: Senate Bill No. 688—An Act to amend section one thousand two hundred and thirteen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances.

Referred to Committee on Judiciary.

Also: Senate Bill No. 689—An Act to regulate the sale of commercial fertilizers, or material used for manurial purposes.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Earl: Senate Bill No. 700—An Act to provide a method of determining the title to real property in this State by actions in rem.

Referred to Committee on Judiciary.

By Senator Orr: Senate Bill No. 701—An Act to create a State Advisory Highway Committee.

Referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER.)

THE POPULATION.

SENATOR J. HARRIS, Chairman, February 15, 1888.

MR. PRESIDENT: Your committee on Population, to whom was referred Senate Bill No. 680, an Act concerning the qualifications of freeholders, citizens, voters and electors of Representatives, and providing a census, first respectfully submit a statement of the committee, showing the work of our organization and respectfully report the same duly recommended back to you, just.

J. HARRIS, Chairman.

SPECIAL FILE.

Senate Bill No. 120—An Act to appropriate two hundred and sixty-two thousand four hundred and fifty dollars for the erection of an Administration Building for the Montana State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the build-

ings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam, to furnish a water supply to said asylum, for fencing the ground and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 75—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Burke, Carpenter, Denison, Earl, Fay, Gesford, Harp, Hoyt, Langford, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson—22.

NOES—None.

Title read and approved.

Assembly Bill No. 269—An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Carpenter, Denison, Earl, Fay, Flint, Gesford, Harp, McAllister, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—24.

NOES—None.

Title read and approved.

Assembly Bill No. 312—An Act appropriating money to pay for the removal, refurnishing of rooms, and repair of furniture for Supreme Court in city of Los Angeles.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Fay, Ford, Gesford, Harp, Hoyt, Langford, McAllister, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 574—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 21—An Act to create the office of Commissioner of Horticultural Statistics, and appropriate money for his salary and expenses.

WITHDRAWAL OF BILL.

By unanimous consent, Senate Bill No. 21 was withdrawn by Senator Carpenter.

On motion of Senator Carpenter, Senate Bill No. 401 was substituted on file for Senate Bill No. 21, and ordered read the second time.

SECOND READING OF BILL.

Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

The following committee amendment was adopted:

Amend by inserting after the word "accrued," on line four, section two, printed bill, the following:

"*Provided*, that the period of limitation provided for in section two of this Act shall not apply to or affect the rights, interest, or claim of any minor, or insane person, or a person imprisoned on a criminal charge, or in execution under a sentence of a criminal Court for a period of not less than for life, or a married woman, and her husband be a necessary party with her in commencing such action, or an incompetent person, but such action may be commenced within the period above provided for, after such disability shall cease."

Senator Earl moved to amend as follows:

By inserting in section one, line one, the words "on contract or for negligence," after word "claims."

Adopted.

Senator Voorheis moved to amend by adding the following:

SEC. 8. This Act shall take effect immediately.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file, to retain its place.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds.

Read second time.

The following committee amendment to the title was adopted:

Amend title by adding: "and to make an appropriation therefor."

Bill ordered printed and engrossed as amended, and to a third reading.

Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read second time, and ordered to a third reading.

Senate Bill No. 237—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Passed on file.

Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

The following committee amendments were adopted:

AMENDMENT TO SECTION 1.

In line one, printed bill, strike out words and figures "seventy-five thousand dollars (\$75,000)" and insert instead "fifty thousand dollars (\$50,000)."

AMENDMENT TO SECTION 2.

In line two, printed bill, strike out the words "seventy-five thousand" and insert the words "fifty thousand."

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

MOTION.

Senator Gesford moved that Senate Bill No. 144 be made the special order for to-morrow at eleven o'clock A. M.

So ordered.

Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Passed on file, to retain its place.

Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

RECESS.

During the second reading of the bill the hour of twelve o'clock M. having arrived, a recess was declared until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

SECOND READING OF SENATE BILL No. 224—(RESUMED).

Senator Shippee moved to amend as follows:

By striking out section two, printed bill, and inserting the following:

"SEC. 2. The State Controller is hereby authorized to draw his warrant for the money in this Act appropriated, in favor of the Board of Trustees of said Normal School, and the State Treasurer to pay the same."

Adopted.

Also: Amend by adding a new section, to be numbered section three, and to read as follows:

"This Act shall take effect and be in force from and after its passage."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 223—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

Passed on file, to retain its place.

Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 623—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry, for the wages of station employés at Chico and Santa Monica.

Passed on file.

Senate Bill No. 464—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

By unanimous consent of the Senate, Senate Bill No. 464 was withdrawn by Senator Whitehurst, and Senate Bill No. 547 substituted in place thereof on the file, and ordered read the second time.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Read second time, and ordered to engrossment and to a third reading.

On motion of Senator Voorheis, the following typographical errors in Senate Bills Nos. 231 and 239 were ordered corrected in engrossing the bills:

In Committee Substitute for Senate Bill No. 231:

Amend by striking out of section two, line two, the word "Controller," and inserting in lieu thereof the following: "Treasurer."

In Committee Substitute for Senate Bill No. 239:

Amend by striking out of section two, line two, the word "Controller," and inserting in lieu thereof the following: "Treasurer."

WITHDRAWAL AND SUBSTITUTION OF BILL.

On motion of Senator Campbell, Senate Bill No. 617 was, with unanimous consent of the Senate, withdrawn, and Senate Bill No. 655 substituted in place thereof on the file.

Senator Williams asked unanimous consent to have Senate Bill No. 369, No. 273 on file, stricken from the file, for the reason that the same Senate Bill appears on file at No. 188.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Passed on file.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

Passed on file.

Senate Bill No. 135—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Senator Flint moved to amend as follows:

By striking out of section one, line seven, the words "seven thousand five hundred," and inserting the following in lieu thereof: "five thousand."

Pending discussion of the above amendment, at two o'clock P. M. Senator Earl moved that Rule VII be suspended for the purpose of the final disposition of the matter under consideration.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Denison, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hoyt, Langford, Martin, Ostrom, Ragsdale, Streeter, Voorheis, and Wilson—18.

NOES—Messrs. Arms, Bailey, Burke, Campbell, Carpenter, Flint, Hart, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Seymour, Simpson, and Whitehurst—16.

MOTION.

Senator Ragsdale moved that Senate Bill No. 135 retain its place on file.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Substitute for Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner.

Read third time.

MOTION.

Senator Ford moved that the bill be recommitted to Senator McGowan as a committee of one, to amend as follows:

1. Strike out of section six all of line four and all of line five preceding the word "provided."

2. Add a new section, to be numbered seven, as follows:

"SEC. 7. All expenditures authorized by the provisions of this Act shall be subject to the approval of the State Board of Examiners; and the State Controller is hereby authorized to draw his warrant for all expenditures, not in excess of the appropriation herein provided for, so approved by the State Board of Examiners, and the State Treasurer is hereby directed to pay the same."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 15, 1890.

MR. PRESIDENT: Your special committee of one, to which was referred Substitute for Senate Bill No. 486 with instructions to amend, thus had the same under consideration, and herewith reports the same back, with amendments as instructed.

McGOWAN, Committee.

Report of special committee adopted.

Bill ordered to print and recommitment, and to retain its place on file.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Passed on file.

Senate Bill No. 18—An Act to amend section one thousand five hundred and five of an Act entitled "An Act to establish a Penal Code," approved February 14, A. D. 1872, the same being in relation to writs of habeas corpus.

Passed on file, at request of author.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file.

Senate Bill No. 105—An Act to prevent the use of fraudulent marks on merchandise.

Read third time, and finally passed by the following vote:

AYES: Messrs. Ames, Bailey, Berry, Brazy, Burke, Carpenter, Carpenter, Dunn, Earl, Fay, Grant, Hall, Gower, Hays, Hoyt, Ingels, McAllister, McGowan, Miner, Mullins, Mumford, Orr, Rutherford, September, Shaffer, Simpson, Voorhies, Whitcomb, Williams, and Oursler, 40.

NAYES: Mr. Martin, 1.

Title read, and, on motion of Senator Orr, the title was amended as follows:

Amended title by striking out the words "to prevent the use of fraudulent marks on merchandise," and inserting instead thereof the following: "to prevent the use of false trade designations in the sale of goods and to provide a punishment therefor."

Title as amended approved.

Bill ordered recommitment.

Senate Bill No. 144—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Passed on file.

Senate Bill No. 278—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sec-

tions seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Passed on file.

Committee Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Read third time.

MOTION.

Senator Orr moved that the bill be recommitted to Senator Burke, as a special committee of one, to amend as follows:

Amend by striking out of section one, line eleven, the words: "in excess of said one hundred and fifty thousand dollars," and inserting the following: "thereof."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Committee Substitute for Senate Bill No. 359, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BURKE, Committee.

Report of special committee adopted, bill ordered to print and reëngrossment, and to retain its place on file.

Senate Bill No. 313—An Act to provide a depository for the county funds.

Read third time.

On motion of Senator Burke, Senate Bill No. 313 was re-referred to the Committee on Judiciary, but that it retain its place on file.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Also: Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Also: Committee Substitute for Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and to make an appropriation therefor.

Also: Senate Bill No. 582—An Act making an appropriation to pay the deficiency in the appropriation for restoration and preservation of fish in the waters of the State for forty-second and forty-third fiscal years.

Also: Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money for the paying of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Also: Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders for the forty-third fiscal year.

Also: Senate Bill No. 583—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for forty-second and forty-third fiscal years.

Also: Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Also: Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

RAGSDALE, Chairman.

On motion of Senator Ostrom, Assembly Bill No. 271, being an identical copy of Senate Bill No. 278, was substituted in place of Senate Bill No. 278, and ordered read a third time.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 271—An Act to amend sections seven hundred and seventy-eight and seven hundred and eighty-two of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-one of said Political Code.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—37.

NOES—None.

Title read and approved.

Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Passed on file.

Senate Bill No. 51—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

On motion of Senator Ford, Assembly Bill No. 96, being an identical copy of Senate Bill No. 51, was substituted in place of Senate Bill No. 51, and ordered read a third time.

Assembly Bill No. 96—An Act to add a new section to the Political Code, to be numbered three thousand eight hundred and nineteen, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—33.

NOES—Mr. Orr—1.

Title read and approved.

Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

Read third time.

CALL OF THE SENATE.

Senator Wilson moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was ordered to close the doors.

The Secretary announced that the absentees were Senators Mahoney, Langford, and Voorheis.

The Sergeant-at-Arms brought before the bar of the Senate Senator Langford.

Senator Carpenter moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Biggy, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Whitehurst—25.

NOES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Dunn, Goucher, Hoyt, Orr, Ostrom, Seymour, Williams, and Wilson—13.

Whereupon, the President ordered the Sergeant-at-Arms to open the doors of the Senate.

The question then being on the final passage of Senate Bill No. 155.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Ford, Gesford, Goucher, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—33.

NOES—Messrs. Carpenter, Everett, Flint, Harp, and Hoyt—5.

Title read and approved.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 293—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Read third time.

On motion of Senator Goucher, the further consideration of Senate Bill No. 293 was postponed, and the bill was ordered placed at the head of the third reading file for to-morrow.

MOTION TO RECONSIDER.

Senator Maher, as per notice given by him, moved to reconsider the vote whereby Senate Concurrent Resolution No. 6 was on yesterday adopted.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Hart, Hoyt, McAllister, McGowan, Maher, Mathews, Mitchell, Ragsdale, Seawell, Shippee, Simpson, Streeter, and Whitehurst—21.

NOES—Messrs. Arms, Berry, Biggy, Burke, Denison, Gesford, Goucher, Harp, Langford, Mahoney, Martin, Orr, Ostrom, Seymour, Voorheis, Williams, and Wilson—17.

Senator Maher moved that Senate Concurrent Resolution No. 6 be referred to the Committee on Judiciary.

So ordered.

THIRD READING OF BILLS—(RESUMED).

Substitute for Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Orr, Ostrom, Ragsdale, Seawell, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

Title read and approved.

PETITION—(OUT OF ORDER).

Senator Burke presented a petition numerously signed by citizens of Santa Cruz County, asking for the passage of Substitute for Senate Bill No. 71.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 149—An Act to amend section two of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Also: Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Also: Senate Bill No. 320—An Act making an appropriation for the construction of a sewer for the State Insane Asylum at Agnews, and to provide for the expenditure of the same.

Also: Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 107—An Act to appropriate money for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Also: Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

RAGSDALE, Chairman.

Senator Seawell presented the testimony and report of the committee on investigation of the management of the Industrial Home for the Adult Blind, and asked that the report be printed in the Journal.

So ordered.

REPORT OF JOINT COMMITTEE.

To the Senate and Assembly of the State of California:

The Governor's message suggests that the Legislature investigate the question of the fitness of a blind man to hold and administer the office of Superintendent of the Industrial Home for the Adult Blind, a State institution located in Alameda County, and by law placed under the control of a Board of five Directors, appointed by the Governor, and to serve during his pleasure. An investigation of the question submitted should not be had at all, unless it can be conclusive of some issue, and productive of some authoritative result. At the outset, the committee of investigation considers the conclusion, and the nature and force of the results. As a proposition of law, if the Legislature should act by bill, inhibiting a blind man, and excluding him from that position, such Act would be null. Men are not to be lawfully excluded from any civil trust or employment of a public nature because of physical defects. Such exclusion is of necessity aimed at a class, and any individual therein can secure an adjudication by showing that men of that class have performed, and do perform satisfactorily, the duties and functions of the trust and employment covered by the inhibition. Upon such showing, which can be easily made in the case of blind men, respecting their success as teachers of letters and mathematics, music, and the handicrafts, as administrative officers of public institutions like this, and as executives in high public trusts in this country and in Europe, the Courts would say that the law cannot close any avenue against the blind in which it is proved that they can successfully administer a public office or a civil trust. It is plain, therefore, that if this committee and this Legislature reached a judgment adverse to the blind, as a class, such judgment could not be reflected in the law.

This brings your committee to narrow its view from the inspection of a class to consideration of the fitness of the individual incumbent of the superintendency of the Industrial Home for the Adult Blind of this State.

It appears from the reference to the subject in the Governor's message, that there is a difference of opinion in the Board of Directors upon the propriety of superintendency by a blind man, a majority of the Directors favoring a blind man in that place, and a minority opposing it. We are again in doubt about the right of authoritative interference by the Legislature in a matter so clearly belonging to executive jurisdiction.

As legislation against a class to exclude it from public employment would be void, would legislation against a specified member of the class be of effect? We think it would be ineffective. If we should specialize such legislation to the incumbent Superintendent, and by name exclude him from the position he holds, such would be regarded as invading the constitutional authority of the executive, and would be void.

The inquiry made by this committee has developed some facts which belong to the public, and their enlargement as a contribution to the general knowledge upon subjects affecting an eleemosynary institution, and the interests of a defective class, deprived of one of the capital senses, will no doubt arrest the attention of the thoughtful, and contribute to the welfare of the unfortunate.

In the division of the Board of Directors upon the employment of a blind Superintendent, we find that the Directors longest in service and most familiar with the institution and its needs, constitute the majority and favor the blind Superintendent, who has had charge of the Home since 1888.

We find that the two minority members were not familiar with such institutions, and had never visited this one, nor made any study of the ways of the blind, nor gained familiarity with the history of the training of the blind in letters and handicrafts, previous to their appointment. We find that they were prepossessed against a blind Superintendent, and at the outset offered such prepossession in opposition to the experience of the majority members, and regardless of the facts of record in the institution.

We find that the President of the Board, belonging to the majority, has brought to bear, in discharging his duties, a lifetime of personal experience with the blind, and years of study of their means of self-support and the methods of administering institutions in which the blind handicrafts are taught. We find that the other members of the majority have for years devoted their time and thought to this institution, and are thoroughly familiar with its changes of policy, and actuated, apparently, entirely by a desire to increase its usefulness to its intended beneficiaries. Without making any invidious comparison between the minority and majority, we state the facts which seem to demonstrate that the judgment of the majority is entitled to at least respectful examination.

Finding that this country has the greatest institutions of this character for the blind, we find, also, that, as a rule, they have been founded by blind men, and their high advancement has been reached and maintained under the superintendency of blind men. This is true of the leading institutions in New York and Pennsylvania, both of which were, in the beginning, private foundations left to develop naturally on the line of greatest benefit to the blind.

We believe that California is the first State in the Union to officially recognize the experience and facts furnished in the record of these institutions that were private and not public in their origin, and, though both New York and Pennsylvania have admitted the beneficially public nature of the work done in the private foundations in those States, by making stated financial contributions to them from the public funds, the States have left their management in the hands of blind Superintendents. California is,

we believe, the first to put a blind officer at the head of a purely public institution. The fitness of the selection can be judged only by the records of the institution itself. The opinions of people who know the blind only by the general sympathy felt for the defective classes, a sentiment that may not be any safe guide at all in providing for them, are of no value in reaching a determination. Nor are the opinions of those who have lost sight in adult age to be at all followed. It is a fact that the greater the age at loss of sight, the more certain is the unfortunate of the incapacity of the blind. Such blind people, having had years of eye sight, and all of its advantages, in the pursuit of a vocation, upon losing it treat the loss as they would that of an arm or leg, which cannot grow again, and which cannot be substituted by any of the remaining members.

The difference between the loss of a leg and that of the eyes is that the loss of a leg is a physical loss only, while that of the eyes is the loss of one of the capital senses, leaving the others unimpaired to replace it. This faculty of replacement and adaptation declines with age, and in that decline lies the need of these institutions for the adult blind, who find themselves helpless and unable to turn to a vocation for support without this assistance. It is true that in some cases the aged blind do acquire confidence and a manifest self-reliance and undiminished capacity, but these cases are exceptional.

With those who lose their sight in infancy or youth, or are blind congenitally, the case is entirely different. The sense of sight was in their possession so short a time that they relied on it but little. They miss it briefly, and what it revealed to them remains as a nebulous memory, not even to be mourned over. The other senses gain acuteness; palpitation becomes capable of the most delicate discriminations; they read with the ends of their fingers, and practically see through a consensus of their remaining senses, which, when brought together in the place vacated by sight, seem almost to add a sixth to the list of senses. It is from the ranks of such blind men that the teachers and superintendents of these institutions are drawn, and we find no case in which they have failed of success.

So much by way of explanation of the fact that in the California institution, and in others, are found many blind men who lost their sight in adult age, who do not believe that a blind man can superintend such an institution. To them the loss of sight is not merely the loss of a sense, it is an impairment of their use of hand and foot, a limitation physical in its nature upon all their activities. Feeling their own incapacity they project to all who are sightless a generalization that is entirely without warrant, though natural and innocent in its origin.

In the California institution a majority of the inmates lost their sight at an age when it meant impoverishment by destroying their power as producing and self-sustaining members of the community, and in their helplessness the State comes to their relief. They are in the institution because they cannot wholly help themselves; because they are incapable of usefully and independently managing their own affairs. They are to be slowly and patiently led to overcome their helplessness and made partially, at least, self-supporting. They feel that fate has foreclosed on them, and the darkness that is around them is peopled by visions of complaint and discontent. Feeling their own weakness, incapacity, dependence, and unhappiness, they cannot conceive contentment, strength, capacity, and happiness in any other blind. Now, the verdict of experience is that when these disabled, discontented, unhappy blind are placed in an institution superintended by a man with eyesight, they remain helpless and dependent, for he has no relation to them but the sympathetic, when the proper relation should be practical and sympathetic also. A self-reliant, self-supporting, independent blind man only can combine the two, therefore blind men only have brought such institutions to the standard of complete success.

With this statement of what occurs to us as the principles involved, we pass to the actual condition of things at the California Industrial Home for the Adult Blind, as shown by the record of that institution from its inception. It was opened for the reception of inmates and the beginning of operations in November, 1885. For the space of thirty-three months thereafter it was in charge of Superintendents with full sight. In August, 1888, it was put under the superintendency of the present incumbent, Mr. Joseph Sanders, who has been blind from early childhood, and is a graduate of the leading industrial school of this kind in the world, that has always been superintended by a blind man.

Your committee, pursuant to the resolution under which this investigation was holden, examined sixty-two witnesses, of whom a large portion were inmates of the institution whose management is questioned. All sources of information which could in any degree reflect any light upon the subject embraced in the resolution, were sought and examined in the prosecution of our inquiries. We are persuaded that local political conditions at Oakland, the site of the Home for the Adult Blind, had much to do in stimulating the discontent which we found among the inmates at the time of our visit to the institution. It appears that at a late primary election held in Oakland one of the Trustees was a candidate for office. While it does not appear that he personally solicited the votes of the inmates of the Home, it does appear that he was voted for by the inmates with remarkable unanimity, and without respect to the party affiliations of those who exercise the right of suffrage. Conditions suggest the fact that the beneficiary of the direct assistance of the inmates of the Home would, as a matter of gratitude at least, lend a willing ear to the complaints of those who are seeking to destroy the discipline, break down the regulations, and defy the authority of those in management at the Home.

The witnesses Tuck, Coogan, Nelson, and Taylor are gentlemen of a high degree of intelligence, and appear to be acting in concert to overthrow the management. Mr. Tuck was formerly an inmate, but is now expelled. It appears in the testimony of Senator Earl and Assemblyman Dodge that two of the inmates, Messrs. Tuck and Nelson, called upon these two gentlemen, who were then candidates for the respective offices of Senator and Assemblyman, and stated to each of them that they were a committee from the Home of the Adult Blind, that there were forty-five votes at the Home, and that it would be to the interest of these two candidates to visit the Home. We are overwhelmed with the conviction that the purpose of these two gentlemen so visiting these candidates at that time, was for the purpose of securing a promise to change the management of the Home, and that it was an implied threat to unite the vote of the inmates of the Home against them if they refused to make such promise.

Much of the testimony given by the inmates was in relation to the food. Upon this subject there is much conflict of evidence. We are of the opinion from all the evidence that the food has been usually, but not uniformly, good and wholesome. Occasionally, without fault of the management, it has been bad. This might occur, as you are aware, in the best regulated families. In institutions of this character, through the avarice and cupidity of those who contract to furnish provisions to public institutions, it is impossible to absolutely protect the State and the beneficiaries of such institutions from temporary impositions of designing contractors. It appears, however, in this case, that when the attention of the Superintendent was called to the defective character of the food, that he endeavored at once to remove the cause of rational objection.

The evidence is somewhat replete with complaints by inmates that an offensive system of espionage is maintained by the Superintendent. Your committee reports that the evidence on this point is wholly insufficient to support such accusation; that the discipline is mild, and yet the rules and regulations appear to be enforced with firmness.

There were charges of favoritism made. As to this charge your committee is of the opinion that men who become blind at adult age are exceedingly sensitive and are often very morose. As was well remarked by one blind witness, their condition seems to intensify fault-finding, and it was a matter of observation with your committee that as a class they are more captious and discontented than seeing people.

We are of the opinion that opportunities are accorded some in the business of broom making that are not accorded to others, but as far as we prosecuted our inquiries in this matter, it appears that all assignments of duty and allotments of work were made by the Superintendent upon a basis of adaptation. You are aware that some of the inmates are better workmen than others. Those who are the most active and learn the quickest have the best opportunities. This is so of seeing people as well as with blind people. If an increase in the industrial character of the institution is to be considered as an element in ascertaining its efficiency, and is in line with the purpose for which this beneficent institution is established, then we say that the evidence shows that the output has greatly increased under a blind Superintendent, and that under such Superintendent the increase in wages per hand, in income, and shop force has very largely increased, as will appear on page one hundred and seven of the testimony taken in this investigation.

From a personal inspection of the grounds we find them well kept, and the buildings thereon neat and orderly maintained.

The property upon which the Home is situated was purchased originally for the sum of \$26,000. It is now worth more than double that amount.

The chief trouble in arriving at a conclusion by your committee, was the practical unanimity of the female inmates against the management. One or two of them seems to have given the superintendency of such institution some thought and investigation. It is, however, our opinion, taking this class of testimony, which was largely directed to the incompetency of the Superintendent on account of blindness, and the character of the food, that it is wholly insufficient to justify a finding that the Superintendent is incompetent or the food unwholesome, except at times, and then merely temporarily, as hereinbefore indicated.

CONCLUSION.

Your committee therefore recommend:

First—That the present management be retained.

Second—We commend to the Governor, through the Legislature, the reappointment of Mr. Greenhood to succeed himself as Trustee.

Third—We advise this Legislature to so amend the law governing the Home that only three Trustees residing in Alameda County shall be appointed on the Board, and that the other two shall be citizens of the State, residing in other counties than Alameda.

We beg to close this report with the following statement, made by the President of the Board of Trustees before your committee: "It should be a matter of pride rather than the subject of contention in California, that this State has availed itself first of all in the Union of the results of a century of experience, by putting a blind man at the head of a purely State institution. The record made here by a blind Superintendent goes out to inspire the blind and give them hope of a career in every nation where effort is made to better their condition."

We sincerely hope that the self-sacrificing efforts made by those who projected this institution, and who have devoted their time to its management, shall not, on account of any slight and inconsequential disagreement among those in control, be unavailing,

but that all activities which can promote the charitable and beneficent purpose for which the institution was established may be evoked, and that the success of this institution may continue to be the pride of our great commonwealth.

J. H. SEAWELL,
Chairman of Senate Committee.

W. P. MATHEWS,
Chairman of Assembly Committee.

RESOLUTION—(OUT OF ORDER).

By Senator McGowan:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Thomas Rodgers, Sergeant-at-Arms, for the amount of forty-two dollars and fifty cents (\$42 50) for mileage, in serving subpoenas on Railroad Commissioners, and that the said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

Witnesses before Special Committee for Investigating Railroad Commission.

James W. Rea, San José, Cal., 128 miles; J. M. Litchfield, San Francisco, Cal., 84 miles; Wm. Beckman, Sacramento, Cal., $\frac{1}{2}$ mile; total, 212 $\frac{1}{2}$ miles. Thomas Rodgers, mileage on the above-named witnesses, 425 miles..... \$42 50

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Burke (by request): Senate Bill No. 702—An Act to amend sections one thousand five hundred and fifty-two, one thousand six hundred and ninety-six, and one thousand seven hundred and seventy-six, and to repeal section one thousand five hundred and sixty-five of the Political Code, relating to public schools.

Referred to Committee on Education and Public Morals.

By Senator Williams: Senate Bill No. 703—An Act to prevent persons, corporations, or companies discriminating against employés.

Referred to Committee on Labor and Capital.

Also: Senate Bill No. 704—An Act to compel corporations to have as their chief representatives citizens of the United States.

Referred to Committee on Corporations.

By Senator Denison: Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of the salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Referred to Committee on Finance.

ADJOURNMENT.

At four o'clock and twenty-five minutes P. M., on motion of Senator Maher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, February 16, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

LEAVE OF ABSENCE.

Senator Carpenter was granted leave of absence for the day, on motion of Senator Williams.

RESOLUTION.

By Senator Arms:

Resolved, That Senate Bill No. 445 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 445 was declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—32.

NOES—None.

CASE OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

The following committee amendment was submitted:

Amend by adding after the word "misdemeanor," on line five, another section, to read as follows:

"SEC. 2. This Act shall take effect and be in force immediately from and after its passage."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

RESOLUTION.

By Senator Bailey:

Resolved, That Assembly Bill No. 127 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the third time, and placed upon its passage.

The roll was called, and Assembly Bill No. 127 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—32.

NOES—None.

CASE OF URGENCY—THIRD READING OF BILL.

Assembly Bill No. 127—An Act appropriating four thousand dollars to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Fay, Ford, Gesford, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Berry:

Resolved, That Assembly Bill No. 4 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 4 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Denison, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—32.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 4—An Act to amend section fifty-three of the Penal Code of the State of California, relating to intimidating, corrupting, deceiving, or defrauding electors.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Fay, Flint, Harp, Hart, Hoyt, Langford, Maher, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—27.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Burke:

Resolved, That Senate Bill No. 332 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 332 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Ford, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Voorheis, Williams, and Wilson—30.

NOES—None.

CASE OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 332—An Act to authorize the acquisition by donation of a site for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor.

The following committee amendments were submitted:

Amend line one of the title by inserting after the word "site" the words "or sites."

Adopted.

Also: Amend line three of section one by inserting after the word "site" the words "or sites."

Adopted.

Also: Amend line three of section two by striking out the word "the" and substituting the word "any;" and also, in line three, section two, by inserting after the word "site" the words "or sites."

Adopted.

Also: Amend section four by adding the following: "And the Controller is hereby directed to draw his warrant for said sum, and the Treasurer of the State is hereby directed to pay the same."

Adopted.

Senator Burke offered the following amendment:

Amend by inserting an enacting clause, as follows:

"The people of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

RESOLUTION.

By Senator Campbell:

Resolved, That Assembly Bill No. 142 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 142 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Fay, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—30.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READINGS OF BILL.

Assembly Bill No. 142—An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Fay, Ford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Dunn:

Resolved, That Senate Bill No. 383 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 383 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, and Wilson—34.

NOES—None.

CASE OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 383—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil

Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885; and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others. And also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

The following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 383.

An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred and three, relating to liens of mechanics and others.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new section is hereby added to the Code of Civil Procedure of the State of California, to be known and designated as section one thousand two hundred and three:

Section 1203. Every contract required to be filed under the provisions of this chapter shall be accompanied by a good and sufficient bond in an amount equal to at least twenty-five per cent of the contract price, which said bond shall be filed at the same time and in the same manner as herein provided for the filing of such contract, or memorandum thereof, and the County Recorder shall receive fifty cents for such filing. Said bond shall, by its terms, be made to inure to the benefit of any and all persons who perform labor for, or furnish materials to the contractor, or any person acting for him, or by his authority; and any such person shall have an action to recover upon such bond, against the principal and sureties, or either of them, for the value of such labor or materials, or both, not exceeding the amount of the bond; but such action shall not affect his lien, nor any action to foreclose the same, except that there shall be but one satisfaction of his claim, with costs and counsel fees. Any failure to comply with the provisions of this section shall render the owner and contractor jointly and severally liable in damages to any and all material men, laborers, and sub-contractors entitled to liens upon the property affected by said contract.

SEC. 2. This Act shall take effect and be in force immediately upon its passage.

Senator Orr moved to amend by striking out of section two the words:

"This Act shall take effect and be in force immediately upon its passage."

Adopted.

Substitute as amended adopted.

Substitute bill read second time, ordered to print and engrossment as amended, and on file for third reading.

RESOLUTION.

By Senator Fay:

Resolved, That Senate Bill No. 40 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 40 declared a case of urgency by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—33.

NOES—None.

CASE OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

The following committee amendments were submitted:

Amend by striking out of section one, line three, after the word "only," all to and including the word "seawall," on line five.

Adopted.

Also: Amend by striking out of section one, on line seven, the word "said," and inserting the following word: "the."

Adopted.

Also: Amend by inserting after the word "continued," in line nine, the words "in the port of San Francisco."

Adopted.

Also: Amend by striking out of section one, line eleven, the words "within a reasonable time," and inserting the following word: "immediately."

Adopted.

Also: Amend by striking out of section one, line twelve, the word "reasonable."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

RESOLUTION.

By Senator Flint:

Resolved, That Senate Bill No. 48 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 48 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Streeter, Voorheis, and Whitehurst—31.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READING OF BILL.

Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Wilson—34.

NOES—None.

Title read and approved.

POSTPONEMENT.

On motion of Senator Gesford, the special order set for this hour, eleven o'clock A. M., viz.: the consideration of Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor—was postponed until eleven o'clock and forty-five minutes A. M. this day.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

RAGSDALE, Chairman.

RESOLUTION.

By Senator Harp:

Resolved, That Senate Bill No. 364 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 364 declared a case of urgency by the following vote:

AYES—MESSRS. ARMS, Bailey, Berry, Burke, Campbell, Denison, Earl, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Orr, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READING OF BILL.

Senate Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—MESSRS. ARMS, Berry, Burke, Campbell, Denison, Earl, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—26.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Hart:

Resolved, That Senate Bill No. 349 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 349 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Simpson, Streeter, Voorheis, Williams, and Wilson—30.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READING OF BILL.

Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—34.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Langford:

Resolved, That Senate Bill No. 323 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 323 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—None.

CASE OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband.

The following committee amendment was submitted:

Amend by striking out all of lines seventeen, eighteen, and nineteen of printed bill, commencing with "no," on line seventeen, and down to and including "community property," on line nineteen.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

RESOLUTION.

By Senator Martin:

Resolved, That Senate Bill No. 632 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 632 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILL.

Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—30.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Mathews:

Resolved, That Senate Bill No. 652 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 652 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—31.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILL.

Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of navigable streams and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

Title read and approved.

POSTPONEMENT.

On motion of Senator Gesford, the consideration of Senate Bill No. 144, reset for eleven o'clock and forty-five minutes A. M. this day, was further postponed for consideration until one o'clock and forty-five minutes P. M. this day.

RESOLUTION.

By Senator Mitchell:

Resolved, That Senate Bill No. 101 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 101 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—30.

NOES—Messrs. Berry, Langford, Ostrom, and Wilson—4.

CASE OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

The following committee amendments were submitted:

Amend section one by striking out the words "seventy-nine thousand dollars," and inserting in lieu thereof the words "fifty-three thousand dollars."

Adopted.

Also: Amend section one by striking out the words "seventy-nine thousand dollars, and inserting in lieu thereof the words "sixty-seven thousand one hundred and eighty dollars and sixty-six cents."

Lost.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

RESOLUTION.

By Senator Orr:

Resolved, That Senate Bill No. 613 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 613 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—36.

NOES—None.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner.

Also: Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Also: Senate Bill No. 574—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Also: Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Also: Committee Substitute for Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

RAGSDALE, Chairman.

CASES OF URGENCY—(RESUMED)—FIRST, SECOND, AND THIRD READING OF BILL.

Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Read first and second times, considered engrossed, read a third time, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Campbell, Denison, Dunn, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—27.
NOES—None.

Title read and approved.

RESOLUTION.

By Senator Ostrom:

Resolved, That Assembly Bill No. 8 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 8 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Denison, Earl, Fay, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—31.
NOES—Mr. Everett—1.

CASE OF URGENCY—SECOND READING OF BILL.

Assembly Bill No. 8—An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Sections one to six, inclusive, read second time.

During the reading Senator Voorheis was granted unanimous consent to send in a report from the Finance Committee.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Also: Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the forty-second and forty-third fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they be substituted for identical Senate bills on file, and do pass.

Also: Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Also: Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for furnishing the Training Department building of the State Normal School at San José, California.

Also: Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they be substituted for identical Senate bills on file, and do pass.

Also: Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 552—An Act to pay the claim of John McGrath.

Also: Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch.

Also: Senate Bill No. 68—An Act to pay the claim of George Nelson against the State of California.

Also: Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 237—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Also: Senate Bill No. 297—An Act making an appropriation to pay the claim of Santa Clara County against State of California for Tax Collector's commissions on taxes collected and paid to State.

Also: Senate Bill No. 432—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Also: Senate Bill No. 634—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855.

Also: Senate Bill No. 639—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books for the forty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane; to complete the female ward; to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground and constructing yard fencing; for constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor and provide for the expenditure of the same.

Have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitutes do pass.

VOORHEIS, Chairman.

At one o'clock and forty-five minutes p. m. Senator Gesford called up the special order set for that hour, and moved that Rule VII be suspended until said special order (consideration of Senate Bill No. 144) be disposed of.

The roll was called, and the motion carried by the following vote:

AYES—MESSRS. Bailey, Berry, Biggy, Burke, Denison, Everett, Fay, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

SPECIAL ORDER—THIRD READING OF BILL.

Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—MESSRS. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Title read and approved.

REPORT OF SPECIAL COMMITTEE.

Senator McGowan, of the committee to which was referred Assembly Concurrent Resolution No. 7, relative to investigating the Railroad Commissioners, presented the following report, and asked that the same be printed in the Journal.

So ordered.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your special committee to which was referred Assembly Concurrent Resolution No. 7, relative to investigating the Railroad Commissioners, and also the resolution of Senate, directing your committee to conduct said investigation, have had the same under consideration, and respectfully report as follows:

I.

In pursuance of the authority conferred upon said committee, your committee caused to be issued the subpoena of your honorable body directed to the persons named in said Assembly resolution as State Railroad Commissioners, and the said subpoena was regularly served upon each of said Commissioners.

II.

That on the eighth day of February, 1893, the following-named persons, to wit: William Beckman, James W. Rea, and J. M. Litchfield, Railroad Commissioners, as aforesaid, appeared before your committee, and then and there, in obedience to the direction of said subpoena, offered testimony to show cause why they should not be removed from the office of State Railroad Commissioners, upon the grounds set forth in said Assembly resolution as amended by the Judiciary Committee of the Senate.

III.

And each of said Commissioners having appeared before said committee and fully testified in his behalf, your committee having heard all the evidence and the showing of said Commissioners, find from said evidence and said showing as the facts herein, the following:

(a) That we find said James W. Rea is and was incompetent to discharge the duties of the office of State Railroad Commissioner, and that he is now and was guilty of dereliction of duty as such Commissioner; and we further find that the evidence fully sustains the allegations of said resolution, that said James W. Rea was and is guilty of dereliction of duty as such Commissioner, as defined by the Constitution.

(b) We further find, because of a misconception and misunderstanding of the duties of said office and want of knowledge upon the business to be regulated by said Commission, the said J. M. Litchfield was and is incompetent, although he has, no doubt, been desirous of doing his duty in said office, and that the charge of said resolution as to the incompetency of said J. M. Litchfield is fully sustained by the evidence herein.

(c) We further find that said William Beckman, Commissioner as aforesaid, made an honest effort to acquaint himself with the duties of said office, and that he was actuated by good intentions, but because of his failure to make any effort to investigate the general rates of freights and fares of transportation companies in this State, that he made no attempt to compel transportation companies to adopt and keep a set of accounts in accordance with the power given said Commissioner by the Constitution, and that said Beckman declared in the thirteenth annual report of such Commission that his duties as such Commissioner were solely of a judicial nature, which declaration we hold to be at variance with the Constitution. We further find that the charge of incompetency in said resolution against said William Beckman is fully sustained by the evidence herein.

From the foregoing the committee finds as a

CONCLUSION.

That said James W. Rea, J. M. Litchfield, and William Beckman, Commissioners as aforesaid, and each of them, should be removed from the office of Commissioners as aforesaid.

FRANK MCGOWAN, Chairman.

We concur in the report:

J. H. SEAWELL.

D. A. OSTROM.

GUY C. EARL.

We dissent:

E. C. SEYMOUR.

J. H. MAHONEY.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 293—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

The bill having been read a third time on a previous day, the question was on the final passage of the bill.

MOTION.

Senator Goucher moved that the bill be recommitted to Senator Maher, as a special committee of one, to amend as follows:

By striking out of section two, lines six, seven, eight, nine, ten, eleven, twelve, and thirteen, the words "nine miles; thence west on section lines to the center of the main channel of Cross Creek as the same now exists; thence southerly down the center of said main channel of said Cross Creek, following the meanderings thereof, to a point where the center of said channel intersects the section line running north and south two miles east of the range line between ranges twenty-one and twenty-two east, of Mount Diablo meridian; thence south on said section line to the southwest corner of section thirty-three, in township twenty-one south, of ranges twenty-two east, of Mount Diablo base and meridian; thence west a distance of eight miles; thence south eighteen miles," and inserting the following: "to the northeast corner of section twenty-one, in township nineteen south, of range twenty-three east, of Mount Diablo base and meridian; thence west to the northeast corner of section twenty-four, in township nineteen south, of range twenty-two east, of Mount Diablo base and meridian; thence south on range line, between ranges twenty-two and twenty-three east, of Mount Diablo base and meridian, to the southeast corner of section thirty-six, in township twenty south, of range twenty-two east, of Mount Diablo base and meridian; thence west to the northeast corner of section one, in township twenty-one south, of range twenty-two east, of Mount Diablo base and meridian; thence south on said range line between ranges twenty-two and twenty-three, Mount Diablo base and meridian."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 293, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

MAHER, Committee.

The roll was called on the adoption of the report of the special committee of one and the amendment.

CALL OF THE SENATE.

Before the vote was announced, Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was ordered to close the doors.

The Secretary announced that the only absentee was Senator Dunn.

Senator Goucher moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Whereupon, the President ordered the Sergeant-at-Arms to open the doors of the Senate.

The President directed that a new roll be called on the adoption of the report of the special committee of one, and amendment, which resulted as follows:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Everett, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Orr, Ragsdale, Simpson, Streeter, and Williams—17.

NOES—Messrs. Arms, Berry, Biggy, Burke, Earl, Fay, Flint, Ford, Gesford, Harp, Langford, McAllister, Mathews, Mitchell, Ostrom, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—20.

Whereupon, the President declared the amendment lost, and the report refused adoption.

MOTION.

Senator Goucher moved that the bill be recommitted to Senator Simpson, as a special committee of one, to amend as follows:

By inserting after section two the following:

"SEC. 3. The seat of justice of said county of Kings shall be at the city of Hanford until otherwise provided by law."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 293, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

SIMPSON, Committee.

The roll was called on the adoption of the amendment and report of the special committee, and the same were rejected by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Everett, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Orr, Ragsdale, Simpson, Streeter, and Williams—17.

NOES—Messrs. Arms, Berry, Biggy, Burke, Earl, Fay, Ford, Gesford, Harp, Langford, McAllister, Mathews, Mitchell, Ostrom, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—19.

MOTION.

Senator Goucher moved that the bill be recommitted to Senator Voorheis, as a special committee of one, to amend as follows:

By inserting after section two the words following:

"SEC. 3. The county seat of the said county of Kings shall be the city of Hanford, unless otherwise determined as hereinafter provided."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 293, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

The roll was called on the adoption of the amendment and report of the special committee of one, and the same were rejected by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Everett, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Ragsdale, Simpson, Streeter, Williams, and Wilson—17.

NOES—Messrs. Arms, Berry, Biggy, Burke, Earl, Fay, Flint, Gesford, Harp, Langford, McAllister, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Voorheis, and Whitehurst—19.

MOTION.

Senator Goucher moved that the bill be recommitted to Senator Earl, as a special committee of one, to amend as follows:

By inserting in section five, line eighteen, immediately after the words "county government," the words following: "At said election shall also be submitted to the qualified electors the location of a county seat of said county, and upon a petition of not less than five per cent of the qualified electors of said county of Kings, asking that any town or locality be voted on for county seat, it shall be the duty of the Board of Commissioners to place upon the ballots used at the election herein provided for, after the words "For County Seat," the name of the town or locality petitioned for; and a cross, marked with a stamp, after the name of any town or locality shall be counted as a vote in favor of such town or locality, and the place receiving the highest number of votes therefor shall be declared by the Commissioners the county seat of said county."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 293, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

EARL, Committee.

The roll was called on the adoption of the amendment and report of the special committee of one, and the same were rejected by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Everett, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Ragsdale, Simpson, Streefer, and Williams—16.

NOES—Messrs. Arms, Berry, Biggy, Burke, Earl, Fay, Flint, Gesford, Harp, Langford, McAllister, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—20.

MOTION.

Senator Goucher moved that Senate Bill No. 293 be recommitted to Senator Ragsdale, as a special committee of one, with instructions to amend as follows:

Number section four section three; number section five section four; number section six section five; number section seven section six; number section eight section seven; number section nine section eight; number section ten section nine; number section eleven section ten; number section twelve section eleven; number section thirteen section twelve; number section fourteen section thirteen; number section fifteen section fourteen; number section sixteen section fifteen; number section seventeen section sixteen; number section eighteen section seventeen.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 293, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

RAGSDALE, Committee.

The roll was called on the adoption of the amendment and report of the special committee of one, and the same were rejected by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Everett, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Ragsdale, Simpson, and Williams—15.

NOES—Messrs. Arms, Berry, Biggy, Burke, Earl, Fay, Flint, Ford, Gesford, Harp, Langford, McAllister, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—21.

MOTION.

Senator Burke moved that the bill be recommitted to Senator Harp, as a special committee of one, to amend as follows:

By striking out the enacting clause.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 293, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

HARP, Committee.

The roll was called on the adoption of the amendment and report of the special committee, and the same were adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Earl, Fay, Gesford, Goucher, Harp, Langford, McAllister, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—21.

NOES—Messrs. Bailey, Broderick, Campbell, Denison, Everett, Ford, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Ragsdale, Streeter, and Williams—15.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that on to-morrow he would move a reconsideration of the vote whereby the enacting clause of Senate Bill No. 293 was this day stricken out.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 114—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Also: Senate Bill No. 125—An Act to abolish commissions or fees paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes.

Also: Senate Bill No. 206—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Also: Senate Bill No. 212—An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5, and abolishing the Leprosy Fund and Interest and Sinking Fund, Levee District No. 5.

RAGSDALE, Chairman.

RESOLUTION—(OUT OF ORDER).

Senator Seawell offered the following resolution:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant in favor of J. H. Seawell, in the sum of four hundred and ninety-three dollars and forty cents, to pay the persons hereinafter mentioned for mileage and services on the committee to investigate the Home of the Adult Blind, heretofore appointed under a resolution of this Senate, and that the Treasurer of State is hereby authorized to pay the same. The said amount to be paid out of the Contingent Fund of the Senate:

Expense Bill.

SACRAMENTO, February 16, 1893.

Expenses of the committee of the investigation of the Adult Blind Asylum in Oakland, Cal., which consisted of Senators Seawell, Mahoney, and Hoyt, left Sacramento January 20, 1893, and returned January 23, 1893, including J. E. Ford, as Clerk, and H. Price, as shorthand reporter, to wit:

To Senator Seawell, mileage.....	\$18 20
To Senator Mahoney, mileage.....	18 20
To Senator Hoyt, mileage.....	18 20
To J. E. Ford, mileage.....	18 20
To H. Price, mileage.....	18 20
To J. E. Ford, salary as Clerk from January 20th to February 16th, inclusive.....	140 00
To H. Price, 4 days as shorthand reporter, at \$10.....	40 00
To H. Price, transcribing 1,077 folios, at 20 cents per folio.....	215 40
To typewriting.....	7 00
Total.....	\$493 40

J. E. FORD, Clerk.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

DISCHARGE OF COMMITTEE.

At the request of Senator Seawell, the committee appointed to investigate the management of the Home of the Adult Blind was discharged.

FINAL PASSAGE OF BILL.

Substitute for Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner.

The bill having been previously read the third time, the question was, "Shall the bill be finally passed?"

Pending discussion, the hour of three o'clock and thirty minutes p. m. having arrived, Senator Ford moved that the rules be suspended temporarily, until the bill under consideration be finally disposed of.

The roll was called, and the rules were so suspended by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Campbell, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Streeter, Voorheis, and Williams—26.

NOES—Messrs. Bailey, Burke, Hoyt, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, and Wilson—10.

Senator Gesford moved that the special order set for three o'clock and thirty minutes p. m. to-day, consideration of Assembly Concurrent Resolution No. 7, relative to investigating the Railroad Commissioners, be postponed and made the special order for to-morrow morning, immediately after reading the Journal.

So ordered.

The question then being on the final passage of Substitute for Senate Bill No. 389.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—30.

NOES—Messrs. Burke, Hoyt, Ostrom, Seawell, and Whitehurst—5.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by State Board of Examiners.

Also: Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

Also: Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Also: Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Also: Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds, and to make an appropriation therefor.

Also: Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Also: Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of navigable streams and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel."

Also: Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

RAGSDALE, Chairman.

CASES OF URGENCY—(RESUMED).

Consideration of Assembly Bill No. 8—An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Sections seven to forty-five, inclusive, read second time.

Bill read second time, and ordered read a third time.

THIRD READING OF BILL.

Assembly Bill No. 8—An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof.

Read third time.

MOTION.

Senator Maher moved that the final vote on the passage of Assembly Bill No. 8 be postponed, and made the special order for to-morrow at eleven o'clock A. M.

Lost.

The question then recurring on the final passage of Assembly Bill No. 8.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragdsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—33.

NOES—Messrs. Martin, Seymour, and Williams—3.

Title read and approved.

MOTION.

Senator Goucher moved that the Senate do now suspend the rules for to-morrow, so that immediately after the reading of the Journal those Senators who were this day entitled, but had not the opportunity, to submit a resolution declaring a bill a "case of urgency," have that opportunity accorded them.

Motion unanimously carried.

NOTICE OF RECONSIDERATION.

Senator Hart gave notice that he would on to-morrow move a reconsideration of the vote whereby Assembly Bill No. 8 was this day finally passed.

RESOLUTION.

By Senator Seymour:

Resolved, That Senate Bill No. 481 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 481 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Denison, Dunn, Everett, Fay, Gesford, Goucher, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

The Committee Substitute for Senate Bill No. 481 not having been printed, the further consideration of the bill was postponed until to-morrow.

RESOLUTION.

By Senator Simpson:

Resolved, That Senate Bill No. 298 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 298 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READING OF BILL.

Senate Bill No. 298—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization,

incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, considered engrossed, and read a third time.

Senate Bill No. 298 read third time, and the bill refused final passage by the following vote:

AYES—Messrs. Burke, Denison, Gesford, and Williams—4.

NOES—Messrs. Berry, Biggy, Broderick, Dunn, Earl, Everett, Fay, Ford, Harp, Hoyt, Langford, McAllister, McGowan, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOTICE OF RECONSIDERATION.

Senator Simpson gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 298 was this day refused final passage.

ADJOURNMENT.

At five o'clock and forty-five minutes P. M., on motion of Senator Earl, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Friday, February 17, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Orr.

MOTION.

Senator Mathews moved that the rules be suspended, and that the special orders set for consideration at this hour be postponed for the purpose of allowing members to present petitions, hear reports from committees, and introduce bills.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—33.

NOES—None.

PRESENTATION OF PETITIONS.

Senator Berry presented the following petition:

To the Senate and Assembly of the State of California, in session at Sacramento, 1893:

We, the undersigned, citizens of the State of California, twenty-one years of age and over, most earnestly petition your honorable body to enact a law forbidding all Sunday traffic and work, as well as all coarse and noisy amusements on that day of the week, making suitable exception for works of necessity and mercy, and for private work by those who religiously and regularly observe another day of the week by abstaining from labor and business on the same.

Signed H. J. Crist and eighteen others.

Referred to Committee on Education and Public Morals.

Senator Ostrom presented the following petition:

MARYSVILLE, February 15, 1893.

To the honorable members of the Senate and Assembly of the State of California:

GENTLEMEN: The undersigned petitioners very respectfully represent that the provisions of the bill of Assemblyman Emeric, intended as protection for game in this State, are such as should not become a law. Particularly do we protest against the provision therein contained, which provides that a license tax may be imposed by Boards of Supervisors on persons who may desire to hunt game in a lawful manner. We also represent to your honorable body that there should be an open season of at least three months in each year in which deer may be killed in the manner provided by law, and that in our judgment, July, August, and September should be the months in which deer may be killed.

Signed by T. J. Sherwood, ex-Fish Commissioner of California, and one hundred others

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

Senator Gesford presented the following petition:

To the honorable the Legislature of the State of California:

We, the undersigned, citizens of Lake County, do respectfully represent: That Clear Lake is a sheet of water entirely situated within the territorial limits of Lake County; that its outlet is Cache Creek, which is wholly innavigable, running through a cañon until it enters the Sacramento Valley, where it enters the Sacramento River at a swamp; that the said lake does not connect with any other navigable water; that said lake is wholly useless and worthless to any other community than the people of Lake County; that it is of no value whatever to the State; that the State has never, and never can, derive any benefit from it, and that it never can in any manner be a source of revenue to the State; that said lake is the property of the State of California; that it frequently overflows the land bordering on it during freshets in the winter season, doing great damage to the surrounding neighborhood, and materially damaging the property of citizens and highways of the county; that said outlet, Cache Creek, can be deepened, widened, and straightened so as to increase the capacity of the channel sufficiently to carry off the surplus water during times of freshets, and thereby prevent the damage occasioned by the lake overflowing the adjoining lands; that if the said county owned said lake it could excavate the channel of Cache Creek and straighten it, to the great advantage of the property and people of the county by preventing the water from overflowing the adjoining land.

Wherefore, we pray that your honorable body will pass an Act donating said lake to the county of Lake, and in duty bound we will ever pray, etc.

Signed by W. E. Greene and seventy-nine others.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Maher: Senate Bill No. 706—An Act to amend section fifty-nine of the Civil Code of the State of California, relating to marriages.

Referred to Committee on Judiciary.

Also: Senate Bill No. 707—An Act to amend an Act entitled "An Act to enable the Boards of Supervisors, Town Councils, Boards of Aldermen, or other legislative body of any city and county, city, or town, to obtain data and information from any corporation, company, or person supplying water to such city and county, city, or town, requiring such Boards, Town Councils, or other legislative body to perform the duties prescribed by section one, article fourteen, of the Constitution, and prescribing penalties for the non-performance of such duties," approved March 7, 1881, by adding thereto a new section, to be known as section eight and one half.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 708—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, amended March 11, 1887, for the purpose of regulating the hours of labor of employes, laborers, and mechanics employed under any franchise or franchises granted by the State of California, or any political subdivision thereof, by amending sections three thousand two hundred and forty-six, three thousand two hundred and forty-seven, three thousand two hundred and forty-eight, three thousand two hundred and forty-nine, and three thousand two hundred and fifty of said Code.

Referred to Committee on Labor and Capital.

By Senator Campbell: Senate Bill No. 709—An Act to amend section eight of an Act entitled "An Act to prevent persons passing through inclosures and leaving them open, by tearing down fences, or otherwise, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

By Senator Mahoney: Senate Bill No. 710—An Act relating to persons or companies or corporations furnishing water to any city and county, or city or town, or the inhabitants thereof, and prescribing their duties.

Referred to Committee on Corporations.

Also (by request): Senate Bill No. 711—An Act to define and extend the jurisdiction of the Board of State Harbor Commissioners in and over Channel Street, and all basins and canals in the City and County of San Francisco.

Referred to Committee on Commerce and Navigation.

By Senator Mitchell: Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board, from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Referred to Committee on Claims.

Also: Senate Bill No. 713—An Act relating to the erection, construction, and repairs of public buildings in this State, and in any of the counties, cities and counties, cities, towns, and townships thereof.

Referred to Committee on Public Buildings other than Prison Buildings.

By Senator Mathews: Senate Bill No. 714—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 715—An Act to limit the hours of labor and regulate the employment of laborers and mechanics upon public works in the State of California, and prescribing penalties for violations of the Act.

Referred to Committee on Labor and Capital.

By Senator Earl: Senate Bill No. 716—An Act fixing the salary of City Clerks in cities having a population of over twenty-seven thousand and under fifty thousand inhabitants.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 717—An Act for the relief of P. Begley.

Referred to Committee on Claims.

Also: Senate Bill No. 718—An Act amending an Act entitled "An Act giving the consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891.

Referred to Committee on Judiciary.

By Senator McAllister: Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executors and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Referred to Committee on Judiciary.

By Senator Hoyt: Senate Bill No. 720—An Act to appropriate moneys to pay the costs and expenses of suits wherein the State is a party.

Referred to Committee on Claims.

Also: Senate Bill No. 721—An Act to appropriate moneys to pay the claim of Mrs. Louise Rienzi.

Referred to Committee on Claims.

By Senator Voorheis: Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 723—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Referred to Committee on Claims.

By Senator Seawell: Senate Bill No. 724—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Referred to Committee on City, City and County, and Town Governments.

By Senator Martin: Senate Bill No. 725—An Act to amend an Act to establish a uniform system of county and township governments, approved March 31, 1891.

Referred to Committee on County Government and Township Organization.

By Senator McGowan: Senate Bill No. 726—An Act to appropriate money to pay the expense of transporting, insuring, and installing of California's exhibits in the Woman's Building of the World's Columbian Exposition.

Referred to Committee on Finance.

By Senator Flint: Senate Bill No. 727—An Act to license all persons dealing in cigarettes.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 728—An Act to create the office of State Forester, to provide for the protection of forests from fire, and to provide for the expenses thereof.

Referred to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

By Senator Ostrom: Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Referred to Committee on Public and Swamp and Overflowed Lands.

By Senator Gesford: Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 392—An Act to create the county of Santa Ynez—have had the same under consideration, and respectfully report the committee substitute for same without recommendation.

DENISON, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Also: Senate Bill No. 642—An Act relative to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the San Francisco Delegation.

Also: Senate Bill No. 586—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved

March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State," approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the San Francisco Delegation.

Also: Senate Bill No. 608—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven of the Constitution," approved March 2, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 581—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State—report the same back, and recommend the passage of the accompanying Substitute for Senate Bill No. 581.

Also: Senate Bill No. 593—An Act to provide for the compensation of the Chief and Captain of Police and police officers in cities in the State of California containing not less than ten thousand and not exceeding thirty thousand inhabitants.

Also: Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

Also: Senate Bill No. 572—To amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 621—An Act to amend sections six and eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State'"—have had the same under consideration, and respectfully report the same back, and recommend that Assembly Bill No. 153 be substituted for it and Senate Bill No. 146, and that it take the place of Senate Bill No. 146 on file.

BAILEY, Chairman.

Senate Bills Nos. 641, 642, and 586 re-referred to the San Francisco Delegation.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the United States, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

Also: Senate Constitutional Amendment No. 17—A resolution to amend section seven of article eleven of the Constitution, relating to consolidated city and county governments.

Also: Senate Bill No. 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

Also: Senate Constitutional Amendment No. 6—To propose to the people of the State an amendment to the Constitution of the State, in relation to poll tax.

Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one (1) of article thirteen (13) thereof, relating to taxable property.

Also: Senate Constitutional Amendment No. 10—A resolution to propose to the people

of the State of California an amendment to the Constitution of the State, amending section one of article thirteen, relative to revenue and taxation.

Also: Senate Constitutional Amendment No. 11—An Act to submit to the people of the State of California an amendment to section three, article twelve, of the Constitution of the State of California.

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Have had the same under consideration, and respectfully report the same back, and recommend that they be not adopted.

EARL, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOYT, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 452—An Act to provide for a topographical survey and map of the State of California, and appropriating money to pay for the same—have had the same under consideration, and respectfully report the same back without recommendation.

HART, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Senate Joint Resolution No. 22—Relative to an amendment of the patent laws of the United States—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

WILLIAMS, Chairman.

ON MINES, DRAINAGE, AND MINING DEBRIS.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Mines, Drainage, and Mining Debris, to whom was referred Senate Bill No. 656—An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the fund provided for their maintenance, to the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 625—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code—have had the same under consideration, and respectfully report the same back, and recommend that said bill be re-referred to the Committee on Corporations.

Also: Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FORD, Chairman.

Senate Bill No. 625 re-referred to Committee on Corporations.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 569—An Act providing for primary elections in this State—have had the same under consideration, and respectfully report the same back with a substitute, and recommend that the substitute do pass, and that the substitute be printed.

VOORHEIS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Also: Senate Bill No. 473—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to motions for new trials.

Also: Senate Bill No. 588—An Act to amend section three thousand six hundred and sixty-three of the Political Code of the State of California, relating to assessments.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe the Government—have had the same under consideration, and respectfully report the same back, and recommend that the Senate do adopt the same.

Also: Senate Bill No. 87—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Also: Senate Bill No. 440—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the presentation of false proofs in support of a claim of a policy of insurance.

Also: Senate Bill No. 620—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Also: Senate Bill No. 646—An Act entitled an Act to forbid the manufacture and sale of cigarettes within the State of California.

Also: Senate Bill No. 451—An Act to amend sections one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, and one thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to guardian and ward.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 474—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating drinks to minors, and relating to the selling and giving intoxicating drinks to minors," approved March 4, 1872, Statutes 1871-72, page 231—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 448—An Act concerning champerty and maintenance, and to punish those guilty thereof.

Also: Senate Bill No. 649—An Act to amend section one thousand six hundred and sixteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 647—An Act entitled an Act to amend section one thousand one hundred and eighty-nine of the Civil Code of the State of California, relating to proof and acknowledgment of instruments.

Also: Senate Bill No. 505—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Also: Senate Bill No. 597—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

Also: Senate Bill No. 502—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

Also: Senate Bill No. 478—An Act to amend section one thousand three hundred and fifty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors.

Also: Senate Bill No. 443—An Act to amend section one thousand two hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court and punishment thereof.

Also: Senate Bill No. 567—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 476—An Act amendatory of chapter three of title four of the Code of Civil Procedure, relative to phonographic reporters—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Irrigation and Water Rights.

Also: Senate Bill No. 664—An Act entitled "An Act to amend section seven hundred and four of an Act to establish a Code of Civil Procedure," relating to the payments in cases of redemption.

Also: Senate Bill No. 674—An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," passed March 21, 1872, by adding a new section thereto, to be numbered as section four hundred and four, concerning foreign corporations.

Also: Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Also: Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 684—An Act entitled an Act to amend section nine hundred and twenty of the Penal Code of the State of California.

Also: Senate Bill No. 667—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitations of actions.

Also: Senate Bill No. 666—An Act to amend sections one thousand two hundred and forty, one thousand two hundred and forty-one, and one thousand two hundred and forty-three of the Civil Code of the State of California, relating to homestead exemptions.

Also: Senate Bill No. 685—An Act entitled an Act to amend section one thousand two hundred and seventy of the Penal Code of the State of California.

Also: Senate Bill No. 675—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 7, 1881, relating to fees for services performed in the office of the Secretary of State.

Also: Senate Bill No. 665—An Act to establish a Committee on Legislation, advisory to the Legislature.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 680—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Also: Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, on assignments for benefit of creditors.

Also: Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in estates of deceased persons.

Also: Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in cases of executions and attachments.

Also: Senate Bill No. 679—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 686—An Act to amend section three thousand and five of the Political Code, in relation to Boards of Health—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the San Francisco Delegation.

Also: Senate Bill No. 313—An Act to provide a depository for county funds—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, on the authority of *Yarwell vs. City of Los Angeles*, 87 Cal. 603.

Assembly Bill No. 138 re-referred to Committee on Irrigation and Water Rights.

Senate Bill No. 686 re-referred to San Francisco Delegation.

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Also: Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MAHER, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of the Sergeant-at-Arms, for the sum of one hundred and thirty-five dollars and twenty cents, and the Treasurer is directed to pay the same out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ragsdale, Shippee, Simpson, Streeter, Voorheis, and Wilson—27.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following account:

SACRAMENTO, February 16, 1893.

Expenses of the committee of the investigation of the Adult Blind Asylum in Oakland, Cal., which consisted of Senators Seawell, Mahoney, and Hoyt, left Sacramento January 20, 1893, and returned January 23, 1893, including J. E. Ford, as Clerk, and H. Price, as shorthand reporter, to wit:

To Senator Seawell, mileage.....	\$18 20
To Senator Mahoney, mileage.....	18 20
To Senator Hoyt, mileage.....	18 20
To J. E. Ford, mileage.....	18 20
To H. Price, mileage.....	18 20
To J. E. Ford, salary as Clerk from January 20th to February 16th, inclusive....	140 00
To H. Price, 4 days as shorthand reporter, at \$10.....	40 00
To H. Price, transcribing 1,077 folios, at 20 cents per folio.....	215 40
To typewriting.....	7 00

Total.....\$493 40

SEAWELL, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend the passage of the following resolution:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant in favor of J. H. Seawell, in the sum of four hundred and ninety-three dollars and forty cents, to pay the persons hereinbefore mentioned for mileage and services on the committee to investigate the Home of the Adult Blind, heretofore appointed under a resolution of this Senate, and that the Treasurer of State is hereby authorized to pay the same. The said amount to be paid out of the Contingent Fund of the Senate.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Dunn, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, Maher, Mahoney, Mitchell, Orr, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.
NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of E. C. Seymour, the Chairman of the Committee on State Prisons and Prison Buildings, for the amount of three hundred and eighty-seven dollars and sixty cents (\$387 60), for expenses incurred in cordage case, and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—26.
NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of the Pacific Postal Telegraph Company, for the sum of thirty-seven dollars and forty cents, and the Treasurer is directed to pay the same out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Goucher, Harp, Hoyt, Langford, McAllister, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.
NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following account:

Witnesses before Special Committee for Investigating Railroad Commission.

James W. Rea, San José, Cal., 128 miles; J. M. Litchfield, San Francisco, Cal., 84 miles; Wm. Beckman, Sacramento, Cal., $\frac{1}{2}$ mile; total, 212 $\frac{1}{2}$ miles. Thomas Rodgers, mileage on the above-named witnesses, 425 miles. \$42 50

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Thomas Rodgers, Sergeant-at-Arms, for the amount of forty-two dollars and fifty cents (\$42 50) for mileage, in serving subpoenas on Railroad Commissioners, and that the said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend the passage of the accompanying resolution.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Burke, Campbell, Denison, Earl, Everett, Fay, Gesford, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Wilson—24.
NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolutions:

Resolved, That Mrs. Carrie Murray be and is hereby appointed Assistant Journal Clerk of the Senate, at the same per diem as the other Assistant Journal Clerks, payable out of the Contingent Fund of the Senate.

Also:

Resolved, That Charles Robinson be and is hereby appointed Porter for the Senate gallery, at a per diem of four dollars, payable out of the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

STREETER, Chairman.

On motion of Senator McAllister, Senate Bill No. 347 was ordered placed on the special file.

SPECIAL ORDER.

Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners.

Senator Goucher moved that the special order set for this hour (consideration of Assembly Concurrent Resolution No. 7) be postponed and made a special order for Tuesday next immediately after the reading of the Journal, that it take precedence over all other special orders, and be then proceeded with until finally disposed of.

Senator Mathews moved to amend by making it at three o'clock and thirty minutes p. m., instead of immediately after the reading of the Journal.

Senator Goucher and his second accepted the amendment.

The roll was called on the motion, and Assembly Concurrent Resolution No. 7 was made a special order for consideration at three o'clock and thirty minutes p. m. Tuesday next by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—30.

NOES—Messrs. Arms, Biggy, Burke, Fay, Gesford, McAllister, Ostrom, Ragsdale, and Whitehurst—9.

REPORT OF SPECIAL COMMITTEE.

Senator Goucher, of the committee to which was referred Assembly Concurrent Resolution No. 7, relative to investigating the Railroad Commissioners, presented the following report, and asked that the same be printed in the Journal.

So ordered.

MR. PRESIDENT: I have not signed either of the reports that have been presented by the special committee appointed to investigate the affairs of the Railroad Commission. In the first place, I positively assert that I do not know anything in regard to the details necessary to prepare a proper schedule of freights by which the railroads of the State shall be governed, and I do not believe a single one of my colleagues on the committee occupy any different position in that regard. To arrive at a just conclusion in regard to a matter of that kind requires the study of a lifetime, and the man to properly handle the intricacies of the situation must have received his education in railroad matters, so to speak, from the ground up. It requires great intelligence, years of practice, a thorough association with the multifarious demands which an enterprise of that nature entails, and no man, unless he possesses the proper qualifications to enable him to deal justly with the people in connection with those duties which are imposed upon a Railroad Commission, should undertake to judge as between the people and those Commissioners.

The report of a majority of my colleagues is to the effect that one of the Commissioners has been adjudged to be derelict in duty and incompetent, while the other two are condemned for incompetency. Incompetency is a question as to the degree of one's ability to perform any duty. Incompetency may arise from inability to perform, not from any laches on the part of the Commissioner, but from the difficulty of meeting surrounding circumstances; and right here I desire to say one of the Commissioners has been adjudged derelict in his duty and incompetent to perform it properly, and yet this same Commissioner has been in office six years—for four years he performed the duties of a Railroad Commissioner, representing the people of a very large district of the State, who, if he has been guilty of marked dereliction of duty and given evidence of gross incompetency, never would have reelected him to the same position, which they did two years ago, and by a most decided majority. They had four years of time in which to experience the justice or injustice of his action as Railroad Commissioner, and that they were entirely satisfied that he was just and upright in the performance of his duty, his reelection is in evidence.

Besides that incompetency which springs from lack of ability, there is another kind of incompetency, which may arise from restraints or improper influences resting upon the public officer; but no evidence has been adduced tending to show anything corrupt among the Commissioners. There may be a belief, wide spread, to the effect that such influences are upon them, or upon some of them, but neither this committee nor the Senate can be justified in pronouncing such incompetency on mere suspicions or beliefs not founded upon testimony, and hence I dismiss from further consideration this branch of the investigation. As to whether the Commissioners exercise their full powers under the Constitution, is probably a matter of discussion, but I do not believe the Commissioners have exhausted their powers, yet the same complaint doubtless applies to nearly all public officers.

In dealing with a matter of such vast importance to the people of the State, my judgment is, that experts on the proposition advanced, should be the ones to make inquiry as to the details leading up to a proper conclusion. I cannot consent to condemn them, and deprive them of their official position upon what has been adduced by the special committee appointed by the Senate to investigate the Railroad Commissioners. Without a more explicit and decided presentation of facts, I must dissent, and emphatically so, from the report presented by a majority of my colleagues on the committee, and therefore, I recommend that the resolution be not adopted, and that the question be relegated to the people at the next election.

GEO. G. GOUCHER,
Of Special Committee.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Also: Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Also: Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband.

Also: Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

RAGSDALE, Chairman.

SPECIAL ORDER.

Substitute for Senate Bills Nos. 157, 372, 373, 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Senator Orr moved that the special order, viz.: the consideration of Substitute for Senate Bills Nos. 157, 372, 373, and 441, set for this hour,

be postponed and made a special order for consideration immediately after the reading of the Journal on to-morrow.

So ordered.

Senator Earl, in compliance with notice given yesterday, moved the reconsideration of the vote whereby Assembly Bill No. 8—An Act to promote the purity of elections—was finally passed.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—MESSRS. Broderick, Everett, Hart, Maher, Seymour, and Williams—6.

NOES—MESSRS. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Simpson, Voorheis, Whitehurst, and Wilson—27.

Senator Goucher, in compliance with notice given by him yesterday, moved the reconsideration of the vote whereby the enacting clause of Senate Bill No. 293—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county—was stricken out.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Mr. Martin—1.

NOES—MESSRS. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mitchell, Ostrom, Ragsdale, Seawell, Streeter, Voorheis, Whitehurst, and Wilson—29.

SUBSTITUTIONS.

On motion of Senator Ragsdale, Assembly Bill No. 153 was substituted on file for Senate Bill No. 146.

Senate Bill No. 146 withdrawn.

On motion of Senator Simpson, Assembly Bill No. 270 was substituted on file for Senate Bill No. 261.

Senate Bill No. 261 withdrawn.

Senator Seymour, as per the following resolution passed on yesterday, called up for consideration Senate Bill No. 481:

Resolved, That Senate Bill No. 481 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

CASE OF URGENCY.

Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Read first time, and on second reading the following committee substitute was read and adopted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 481.

An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred and seventeen thousand and five hundred dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to be paid to the Trustees of the Southern California State Asylum for

the Insane and Inebriates, as follows: For the erection of a ward building, for the construction of drainage ditches, for the erection of a pumping station for the disposal of sewage, for grading grounds, preparing and planting to orchard and ornamental shrubbery, and for making roads and walks, for the building of a stable, for the purchase of live stock, vehicles, and agricultural implements, for the building of a wall inclosing yard for patients, and for the construction of a building over reservoir.

Sec. 2. The Controller of the State is hereby authorized and directed to draw his warrant for said amount as the work shall progress in favor of the Board of Trustees of said Southern California State Asylum for the Insane and Inebriates, upon their requisition for the same, and the Treasurer is hereby directed to pay said warrants.

Sec. 3. This Act shall take effect immediately.

Substitute for Senate Bill No. 481 read second time, considered engrossed, and ordered read a third time.

THIRD READING OF BILL.

Substitute for Senate Bill No. 481 read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gosford, Harp, Hart, Hoyt, Langford, McGowan, Martin, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Streeter:

Resolved, That Assembly Bill No. 153 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 153 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gosford, Harp, Hoyt, Langford, McAllister, McGowan, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Assembly Bill No. 153 not having been placed regularly before the Senate, the further consideration of the bill was postponed.

RESOLUTION.

By Senator Seawell:

Resolved, That Senate Bill No. 120 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 120 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Gosford, Goscher, Harp, Hoyt, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

CONSIDERATION OF SENATE BILL No. 120—(RESUMED)—CASE OF URGENCY—
SECOND READING OF BILL.

Senate Bill No. 120—An Act to appropriate two hundred and sixty-one thousand four hundred and fifty dollars for the erection of an Administration Building for the Mendocino State Asylum for the Insane, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the grounds and constructing yard fencing, for constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

The following committee substitute was adopted:

SUBSTITUTE FOR SENATE BILL No. 120.

An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum to complete the female ward; to purchase furniture, and furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground, and constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor, and provide for the expenditure of the same.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be paid to the order of the Directors of the Mendocino State Asylum for the Insane, for the completion of the female ward building now being erected by the Directors of said insane asylum; for the purpose of purchasing furniture, and furnishing buildings which have been heretofore erected by the Directors of said asylum, and which may be hereafter erected under the provisions of this Act; to construct a plant for lighting said buildings, and purchase the necessary machinery therefor; to improve the grounds of said asylum; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground, and constructing yard fencing; for constructing a sewer system; for purchasing laundry machinery and kitchen furniture.

SEC. 2. Such sums as are used for building purposes shall be expended pursuant to the provisions of an Act entitled "An Act to establish a branch insane asylum for the

insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum, and appropriating money therefor," approved February twentieth, eighteen hundred and eighty-nine, and "An Act to regulate contracts on behalf of the State, in relation to erections and buildings," approved March twenty-third, eighteen hundred and seventy-six.

SEC. 3. The State Board of Examiners shall examine, audit, and allow all demands arising under this Act and the said Acts herein mentioned; and the State Controller shall thereupon draw his warrant therefor, payable out of the General Fund, and the State Treasurer is hereby ordered to pay such warrants.

SEC. 4. The amount herein appropriated may be drawn in one sum, or in such sums as the Board of Directors of said insane asylum may desire.

SEC. 5. This Act shall take effect from and after its passage.

Substitute for Senate Bill No. 120 read second time, considered engrossed, and ordered read a third time.

THIRD READING OF BILL.

Substitute for Senate Bill No. 120—An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum to complete the female ward; to purchase furniture, and to furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the grounds, and constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor, and provide for the expenditure of the same.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Campbell, Denison, Everett, Fay, Ford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Everett:

Resolved, That Senate Bill No. 641 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 641 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

CASE OF URGENCY—FIRST AND SECOND READING OF BILL.

Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Read first time.

During the second reading of the bill, Senator Everett moved to amend as follows:

By inserting in section two, line five, after the word "require," the following: "and the owners of a majority of the frontage of the property fronting on said proposed work or improvement shall petition therefor."

Adopted.

Senate Bill No 641 read second time, ordered printed and engrossed as amended, and on file for third reading.

RESOLUTION.

By Senator Biggy:

Resolved, That Substitute for Senate Bills Nos. 291, 183, and 123 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Substitute for Senate Bills Nos. 291, 183, and 123 declared a case of urgency by the following vote:

AYES—MESSRS. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

CASE OF URGENCY—SECOND READING OF BILL.

Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

The following committee substitute, previously submitted, was adopted:

SUBSTITUTE FOR SENATE BILLS Nos. 291, 183, 123.

An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. *Be it enacted:* Whenever the public interest or convenience may require, the City Council of any municipality shall have full power to order, and upon the petition of the owners of a majority of the frontage to be taken for said purpose, shall order the opening, extending, widening, straightening, or closing up, in whole or in part, of any street, square, lane, alley, court, or place within the bounds of such city, and shall condemn and acquire any and all land necessary or convenient for that purpose.

SEC. 2. Before ordering any work to be done, or improvement made, which is authorized by section one of this Act, the City Council shall pass a resolution declaring the intention to do so, describing the work or improvement, and the land deemed necessary to be taken therefor, and specifying the exterior boundaries of the district of land to be affected or benefited by said work or improvement, and be assessed to pay the damages, cost, and expenses thereof.

SEC. 3. The Street Superintendent shall then cause to be conspicuously posted along the line of said contemplated work or improvement, and not more than three hundred feet in distance apart, but not less than three in all, notices of the passage of said resolution. Said notice shall be headed, "Notice of Public Work," in letters not less than one inch in length, shall be in legible characters, state the fact of passage of the resolution, its date, and, briefly, the work of improvement proposed, and refer to the resolution for further particulars. He shall also cause a notice similar in substance to be published for a period of ten days in one or more daily newspapers published and

circulated in said city, and designated by said City Council; or, if there is no daily newspaper so published and circulated in said city, then by four successive insertions in a weekly or semi-weekly newspaper so published, circulated, and designated.

Sec. 4. Any person through whose lands said proposed street extension runs, or who will be damaged or affected by said proposed work, may, within ten days after the first publication of said notice, file with the Clerk of the City Council his written objections thereto, stating in what manner and to what extent he will be damaged, which objection shall be delivered to the Clerk of the City Council, who shall indorse thereon the date of its reception by him, and at the next meeting of the City Council after the expiration of said ten days, lay said objections before said City Council, which shall fix a time for hearing said objections, not less than one week thereafter. The City Clerk shall thereupon notify the persons making such objections by depositing a notice thereof in the Post Office of said city, postage prepaid, addressed to such objector.

Sec. 5. At the time specified, or to which the hearing may be adjourned, the City Council shall hear the objections filed, and if the owners of a majority of the frontage on the portion of the street to be extended and widened, as said owners appear on the last preceding annual assessment roll for State and county taxes, object, in writing, to said proposed opening, extending, and widening, straightening, or closing up of said street, said City Council shall sustain said objections, and all proceedings therefor shall be stopped for the period of twelve months. If the owners of a majority of the frontage on said street do not object, in writing, thereto, within the time specified in this Act, the City Council shall be deemed to have acquired jurisdiction to order any of the work to be done or improvements to be made which is authorized by section one of this Act.

Sec. 6. Having acquired jurisdiction, as provided in the preceding section, the City Council shall order said work to be done, and unless the proposed work is for closing up, and it appears that no assessment is necessary, shall notify the Assessor, City Engineer, and Superintendent of Streets, who shall constitute a Board of Commissioners in that regard, who shall have full supervision of the proposed work or improvement until the completion thereof in compliance with this statute. For their services they shall each receive, as compensation, five dollars for every day of actual service. Such extension shall not exceed two months at one time, nor shall the term of office of said Commissioners continue for longer than one year. Such compensation shall be added to and be chargeable as a part of the expenses of the work or improvement. Each of said Commissioners shall file with the Clerk of the City Council an affidavit and a bond to the State of California, in the sum of five thousand dollars, to faithfully perform the duties of his office. The City Council may at any time remove any or all of said Commissioners for cause, upon reasonable notice and hearing, and may fill any vacancies occurring among them for any cause. At the end of the terms of said Commissioners they shall hand over all unfinished business to the City Council, who shall complete the same. In all municipalities where there is a Board of Public Works, such Board shall constitute the Board of Commissioners in this section provided for, and shall perform the duties of such Commissioners, and their salaries as members of the Board of Public Works shall be in full compensation for such services. It shall be the official duty of the City Attorney to render said Commissioners all necessary legal services.

Sec. 7. Said Commissioners shall have an office assigned to them by the City Council, in the City Hall, and shall have power to employ a Secretary, at a salary not to exceed one hundred and fifty dollars per month, and such other clerical assistance as shall be provided them by the City Council, the salaries and fees of whom shall be established and fixed by said City Council.

Sec. 8. All such charges and expenses shall be deemed as expenses of said work of improvement, and be a charge only upon the funds devoted to the particular work or improvement, as provided hereinafter. All payments, as well for the land and improvements taken or damaged, and for the charges and expenses, shall be paid by the City Treasurer, upon warrants drawn upon said fund from time to time, signed by said Commissioners, or a majority of them. All such warrants shall state whether they are issued for land or improvements taken or damaged, or for charges and expenses, and that the demand is only payable out of the money in said fund, and in no event shall the city be liable for the failure to collect any assessment made by virtue hereof, nor shall said warrant be payable out of any other fund, nor a claim against the city, except for one half of the expenses of said improvements, as hereinafter provided.

Sec. 9. Said Commissioners shall proceed to view the lands described in the resolution of intention, and may examine witnesses on oath, to be administered by any one of them. Having viewed the land to be taken and the improvements affected, and considered the testimony presented, they shall proceed with all diligence to determine the value of the land and the damage to improvement and property affected, and also the amount of the expenses incident to said work or improvement, and having determined the same, shall proceed to assess the same upon the lands fronting on said extension or widening, to the amount of fifty per cent of the total expense attending said improvement, herein provided.

Sec. 10. Said Commissioners having made their assessment of benefits and damage shall, with all diligence, make a written report thereof to the City Council, and shall accompany their report with a plat showing the land taken, or about to be taken, for the work or improvement, and the lands assessed, showing the relative location of each district, block, lot, or portion of lot, and its dimensions, so far as the Commissioners can reasonably ascertain the same. Each block and lot, or portion of lot, taken or assessed, shall be designated and described in said plat by an appropriate number, and

a reference to it by such descriptive number shall be a sufficient description of it in any suit entered to condemn and in all respects. When the report and plat are approved by the City Council, a copy of said plat, appropriately designated, shall be filed by the Clerk thereof in the office of the Recorder of the county.

Sec. 11. Said report shall specify each lot, subdivision, or piece of property taken or injured by the widening or other improvement, or assessed therefor, together with the name of the owner, or claimant thereof, or persons interested therein as lessees, incumbancers, or otherwise, so far as the same are known to such Commissioners, and the particulars of their interests, so far as the same can be ascertained, and the amount of value or damage, or the amount assessed, as the case may be.

Sec. 12. If in any case the Commissioners find conflicting claims of title exist, or shall be in ignorance or doubt as to the ownership of any lot of land, or of any improvements thereon, or any interest therein, it shall be set down as belonging to unknown owners. Error in the designation of the owner or owners of any land or improvements, or of the particulars of their interest, shall not affect the validity of the assessment or the condemnation of the property to be taken.

Sec. 13. Said report and plat shall be filed in the Clerk's office of the City Council, and thereupon the Clerk of said City Council shall give notice of such filing by publication for at least ten days in one or more daily newspapers published and circulated in said city; or if there be no daily newspaper, by three successive insertions in a weekly or semi-weekly newspaper so published and circulated. Said notice shall also require all persons interested to show cause, if any, why such report should not be confirmed, before the City Council, on or before a day fixed by the Clerk thereof, and stated in said notice, which day shall not be less than thirty days from the first publication thereof.

Sec. 14. All objections shall be in writing, and filed with the Clerk of the City Council, who shall, at the next meeting after the day fixed in the notice to show cause, lay the said objections, if any, before the City Council, which shall fix a time for hearing the same, of which the Clerk shall notify the objectors in the same manner as objectors to the original resolution of intention at the time set, or at such other time as the hearing may be adjourned to. The City Council shall hear such objections and pass upon the same; and at such time, or if there be no objections at the first meeting after the day set in such order to show cause, or such other time as may be fixed, shall proceed to pass upon such report, and may confirm, correct, or modify, or may sustain the objections thereto and order the Commissioners to make a new report, assessment, and plat, which in either case shall be filed, and notice given and hearing had, as in the case of the original report; but no report, or plat, or assessment shall be filed by said Commissioners after the expiration of ten months after their appointments.

Sec. 15. The Clerk of said City Council shall forward to the Street Superintendent of the city a certified copy of the report, assessment, and plat, as finally confirmed and adopted by the City Council. Such certified copy shall thereupon be the assessment roll, and thirty days after such filing shall become a lien on the property assessed therein, for its proportion of the costs of said improvement, as hereinbefore provided.

Sec. 16. The Superintendent of Streets shall thereupon give notice of publication for ten days in two daily newspapers published and circulated in said city and county, or by two successive insertions in a weekly or semi-weekly newspaper so published and circulated, that he has received said assessment roll, and that all sums levied and assessed in said assessment roll are due and payable immediately, and that the payment of said sums is to be made to him within thirty days from the date of the first publication of said notice. Said notice shall also contain a statement that all assessments not paid before the expiration of said thirty days will be declared to be delinquent, and that thereafter the sum of five per cent upon the amount of each delinquent assessment, together with the cost of advertising each delinquent assessment, will be added thereto. When payment of any assessment is made to said Superintendent of Streets, he shall write the word "paid" and the date of payment opposite the respective assessments so paid, and the names of persons by or for whom said assessment is paid, and shall, if so required, give a receipt therefor. On the expiration of said thirty days, all assessments then unpaid shall be and become delinquent, and said Superintendent of Streets shall certify such fact at the foot of said assessment roll, and shall add five per cent to the amount of each assessment so delinquent. The said Superintendent of Streets shall, within five days from the date of said delinquency, proceed to advertise and collect the various sums delinquent and the whole thereof, including the cost of advertising, which last shall not exceed the sum of fifty cents for each lot, piece, or parcel of land separately assessed, by the sale of the assessed property in the same manner as is or may be provided for the collection of State and county taxes; and after the date of said delinquency, and before the time of said sale herein provided for, no assessment shall be received unless at the same time the five per cent added thereto, as aforesaid, together with the cost of advertising then already incurred, shall be paid therewith. Said list of delinquent assessments shall be published daily for five days in one or more daily newspapers published and circulated in such city, or by at least one insertion in a weekly newspaper so published and circulated, before the day of sale of such delinquent assessment. Said time of sale must not be less than seven days from the date of the first publication of said delinquent assessment list, and the place must be in or in front of the office of said Superintendent of Streets. All property sold shall be subject to redemption in the same time and manner as in sales for delinquent State and county taxes; and the Superintendent of Streets may collect for each certificate fifty cents, and

for each deed one dollar. All provisions of the law in reference to the sale and redemption of property for delinquent State and county taxes in force at any given time shall also then, so far as the same are not in conflict with the provisions of this Act, be applicable to the sale and redemption of property for delinquent assessments hereunder, including the issuance of certificates and the execution of deeds. The deed of the Street Superintendent made after such sales, in case of failure to redeem, shall be prima facie evidence of the regularity of all proceedings hereunder and of title in the grantee. It shall be conclusive evidence of the necessity of taking or damaging the lands taken or damaged, and of the correctness of the compensation awarded therefor. The Superintendent of Streets shall from time to time pay over to the City Treasurer all moneys collected by him on account of any such assessments. The City Treasurer shall, upon receipt thereof, place the same in a separate fund, designating such fund by the name of the street, square, lane, alley, court, or place for the widening, opening, or other improvement of which the assessment was made. Payments shall be made from said fund to the parties entitled thereto, upon warrants signed by the Commissioners, or a majority of them.

SEC. 17. When sufficient money is in the hands of the City Treasurer, in the fund devoted to the proposed work or improvement, to pay for the land or improvements taken or damaged, and when in the discretion of the Commissioners, or a majority of them, the time shall have come to make payments, it shall be the duty of the Commissioners to notify the owner, possessor, or occupant of any land or improvements thereon to whom damages shall have been awarded, that a warrant has been drawn for the payment of the same, and that he can receive such warrant at the office of such Commissioners, upon tendering a conveyance of any property to be taken; such a notification, except in the case of unknown owners, to be made by depositing a notice, postage paid, in the Post Office, addressed to his last known place of abode or residence. If, at the expiration of thirty days after the deposit of such notice, he should not have applied for such warrant and tendered a conveyance of the land to be taken, the warrant so drawn shall be deposited with the City Treasurer, and shall be delivered to such owner, possessor, or occupant upon tendering a conveyance as aforesaid, unless judgment of condemnation shall be had, when the same shall be canceled.

SEC. 18. If any owner of land to be taken neglects or refuses to accept the warrant drawn in his favor, as aforesaid, or objects to the report as to the necessity of taking his land, the Commissioners, with the approval of the City Council, may cause proceedings to be taken for the condemnation thereof, as provided by law under the right of eminent domain. The complaint may aver that it is necessary for the city to take or damage and condemn the said lands, or an easement therein, as the case may be, without setting forth the proceedings herein provided for, and the resolution and ordinance ordering said work to be done shall be conclusive evidence of such necessity. Such proceedings shall be brought in the name of the municipality, and have precedence, so far as the business of the Court will permit; and any judgment for damages therein rendered shall be payable out of such portion of the special fund as may remain in the treasury, so far as the same can be applied. At any time after trial and judgment entered, or preceding an appeal, the Court may order the City Treasurer to set apart in the City Treasury a sufficient sum from the fund appropriated to the particular improvement to answer the judgment and all damages, and thereupon may authorize and order the municipality to enter upon the land and proceed with the proposed work and improvement. In case of a deficiency in said fund to pay the whole of said judgment and damages, the City Council shall order the balance thereof to be paid out of the General Fund of the treasury.

SEC. 19. The Treasurer shall pay such warrants out of the appropriate fund, and not otherwise, in the order of their presentation; *provided*, that warrants for land or improvements taken or damaged shall have priority over warrants for charges and expenses, and the Treasurer shall see that sufficient money is and remains in the fund to pay all warrants of the first class before paying any of the second.

SEC. 20. If any title attempted to be acquired by virtue of this Act shall be found to be defective from any cause, the City Council may again institute proceedings to acquire the land as in this Act provided, or otherwise, or may authorize the Commissioners to purchase the same, and include the cost thereof in a supplementary assessment, as provided in the last section.

SEC. 21. Whenever, under the provisions of this Act, the Commissioners appointed for the extending or widening of any street shall have filed their report, assessment, and plat, and the same shall have been finally confirmed and filed in the office of the Superintendent of Streets, it shall be the duty of the City Council, at the time of making the annual levy of taxes for city and county purposes, to add to said tax levy an amount sufficient to raise a sum equal to the amount assessed by said Commissioners, which shall be assessed for all the taxable property in said municipality, and be included in and form a part of the next general assessment roll of said city, or city and county, and with like effect in all respects as if the same formed a part of the city, State, and county taxes, and shall be collected as a part thereof, and shall be placed in a fund to be designated "The ——— Street Improvement Fund" (naming the street to be improved), and shall be applied to the payment of the expenses of extending, opening, and widening of streets, in the same manner as the money raised by the assessments on lands fronting on said extensions, as hereinbefore designed; *provided*, that no part of said fund so raised by taxation shall be used for any purposes other than the one provided for in this Act, nor shall any portion thereof be paid out for any purpose until at least ninety

per cent of the assessment levied by said Commissioners for the improvement of any particular street shall have been paid into the City Treasury.

SEC. 22. 1. The words "work" and "improvement," as used in this Act, shall include all work mentioned in section one of this Act.

2. In case there is no daily or weekly or semi-weekly newspaper printed and circulated in the city, then such notices as are herein required to be published in a newspaper shall be posted and kept posted for the length of time required herein for the publication of the same in a weekly newspaper, in three of the most public places in such city. Proof of the publication or posting of any notice provided for herein shall be made by affidavit of the owner, publisher, or clerk of the newspaper, or of the poster of the notice.

3. The word "municipality" and the word "city" shall be understood and so construed as to include all corporations heretofore organized and now existing, or hereafter organized, for municipal purposes.

4. The terms "Street Superintendent" and "Superintendent of Streets," as used in this Act, shall be understood and so construed as to include, and are hereby declared to include, any person or officer whose duty it is, under the law, to have the care or charge of the streets, or the improvement thereof, in any city. In all those cities where there is no Street Superintendent or Superintendent of Streets, the City Council thereof is hereby authorized and empowered to appoint a suitable person to discharge the duties herein laid down as those of Street Superintendent or Superintendent of Streets, and all the provisions hereof applicable to the Street Superintendent or Superintendent of Streets shall apply to such persons so appointed.

5. The term "City Council" is hereby declared to include any body or board which, under the law, is the legislative department of the government of any city.

6. The terms "Clerk" and "City Clerk," as used in this Act, are hereby declared to include any person or officer who shall be Clerk of said City Council.

7. The term "Treasurer" or "City Treasurer," as used in this Act, shall include any person or officer who shall have charge, and make payment of the city funds.

SEC. 23. The Act approved March sixth, eighteen hundred and eighty-nine, entitled "An Act for opening, widening, and extending streets," etc., is hereby repealed, and all the proceedings thereunder are hereby declared to be void and of no effect. Except, however, that in case more than one half of the lands in any report and plat proposed to be taken for said streets shall have been deeded to the city, at the date of the passage of this Act, then said improvements shall not be affected by this Act; but in all other cases the assessments, plats, and reports filed by said Commissioners are declared to be null and void, and all laws authorizing their collection are hereby repealed, and all the moneys collected under the provisions of said Act shall be refunded to the persons from whom the same were collected, in the same manner as taxes which have been twice collected, and the said Commissioners are hereby removed from office; *provided, however,* that in case of the lands necessary to widen or open any street, there shall have been actually purchased and conveyed to the municipality, under the provisions of said Act of March sixth, eighteen hundred and eighty-nine, more than one half of all the land necessary for said improvements, as shown by the report and plat on file, then said streets and the improvement thereof shall not be affected by this Act, but the same shall be completed as commenced.

SEC. 24. This Act shall be liberally construed to promote the objects thereof.

This Act shall take effect and be in force from the time of its passage.

AMENDMENTS.

Senator Earl moved to amend the substitute bill as follows:

Amend by striking out section one and inserting the following:

SECTION 1. *Be it enacted:* Whenever the public interest or convenience may require, the City Council of any municipality shall have full power to order, and upon the petition of the owners of a majority of the frontage to be taken for said purpose, shall order the opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, of any street, square, lane, alley, court, or place within the bounds of such city, and shall condemn and acquire, or exchange adjacently, foot for foot, any and all land necessary or convenient for that purpose.

Adopted.

Also:

Amend by striking out section two and inserting the following:

SEC. 2. Before ordering any work to be done or improvement made, which is authorized by section one of this Act, the City Council shall cause a survey to be made and have the grades of said streets established, and shall then pass a resolution declaring the intention to do said work, describing the work or improvement, and the land deemed necessary to be taken therefor, and specifying the exterior boundaries of the district of land to be affected or benefited by said work or improvement, and be assessed to pay the damages, cost, and expense thereof; *provided,* that if within thirty days after said declaration of intention, all the property owners affected should file a stipulation

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During the second reading of the conference report, last month, section five of the bill, Senator Mahoney moved that the bill be recommitted to the Committee on Education, Labor and Commerce, and Transportation, and that the further consideration of same be postponed, and made the special order for Tuesday next immediately after the reading of the Journal.

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Amount paid was granted leave of absence for the same side of the day.
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Abstract. This review will not just present a list of empirical data that are relevant to the study of a given facet of the community, nor will it provide a theoretical framework for the data. It will, by this guide, seek to use some of the most useful data to illustrate the role of a community in the development of individual and social behavior.

The bill was passed, and Senate Bill No. 116 declared a state of emergency in the Department Store.

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Source: Vol. No. 104—An Act providing for the government of public lands and resources to protect prime, soil or wilderness and preservation of such lands.

22. *Shaw, George. 1997. "Language, Power, and the State." In*

¹² For an overview of the literature on group norms and commitment to group norms, see van Knippenberg and De Cremer (2004).

10

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10

¹ A. J. Auerbach, "The 'New' American Literature," *Harvard Review*, 1956, pp. 1-10.

on line five, and in lieu thereof insert: "*provided*, that any person resident and elector of this State may commence and maintain, in his own name, an action for the penalties provided for in this section, and upon a recovery one half of all money so received shall be paid to said person, and the other half thereof shall be paid to the General Fund of the county, or city and county, where such action was by said person commenced."

Adopted.

Also:

Amend by adding after the word "payment," on line four, section five, the following: "and in any cause in law or equity the violation of any of the provisions of the preceding sections hereof shall constitute, and may be plead, as a complete defense to such suit or cause of action."

Adopted.

Also:

Amend by inserting after the word "thereof," on line four, of section six, the following: "in an action brought for such purpose."

Adopted.

Also:

Amend by striking out all of line forty, page three, and instead insert: "District Attorney of the county, or city and county, wherein said;" also, strike out the words "prosecuting or county," on line forty-one, page three, and in lieu thereof insert: "district;" also, strike out from and including "and," on line forty-two, page four, down to and including "attorney," on line forty-three; also, strike out "character," on line forty-four, page four, and insert instead "charter, franchise."

Adopted.

Also:

Amend section nine of said Act so as to read as follows:

"Sec. 9. It shall be the duty of the District Attorney of each county, or city and county, respectively, to enforce the provisions of this Act within his said county or city and county. As compensation for his services for instituting and prosecuting said suits, said District Attorney shall, in case no appeal is taken, receive one fourth of the penalty collected; but in every case where an appeal to the Supreme Court is taken, said District Attorney and the Attorney-General shall each receive one eighth of the penalty recovered for services; the compensation herein provided for shall be in addition to the compensation now provided by law for such officers."

Adopted.

Also:

Amend by striking out of section ten, on line three, the words "or Court of Appeals;" also, the word "Circuit;" also, the word "county;" also, strike out on line four, section ten, the words "or prosecuting," and insert in lieu thereof "district;" also, strike out of section ten, line six, the words "or Court of Appeals;" also, on line eight, the word "Circuit."

Adopted.

Also:

Amend by striking out of section eleven all of line three, commencing and including the word "and," on line three, and down to and including the word "county," on line five.

Adopted.

Also:

Amend by striking out all of section twelve.

Adopted.

Senate Bill No. 109 read second time, ordered printed and engrossed as amended, and on file for third reading.

QUESTION OF PRIVILEGE.

Senator Goucher arose to a question of privilege, and stated that on a previous day, on the floor of this Senate, he had disproved the charges made against him by one Charles A. Lee; that he was so clearly proven to have published falsehoods, he has since then evidenced that he bore the Senator extreme ill-will; and that he, said Lee, was now in the lobby of the Senate acting in a threatening manner, and that on account of the respect he had for the Senate as a body, he moved that said Lee be denied the privilege of the floor of the Senate and lobby.

Motion carried by unanimous vote, and the Sergeant-at-Arms instructed to see that the action of the Senate in the matter be obeyed.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Denison, Dunn, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mitchell, Ragsdale, Simpson, Streeter, Voorheis, and Williams—22.

NOES—Messrs. Berry, Burke, Carpenter, Langford, Orr, Shippee, Whitehurst, and Wilson—8.

Title read and approved.

Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

The bill having on a previous day been read the third time, the question was on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Fay, Ford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—28.

NOES—Messrs. Carpenter and Voorheis—2.

Title read and approved.

LEAVE OF ABSENCE.

Senators Ford, Biggy, and Everett, the committee appointed to visit the Whittier Reform School, were granted a leave of absence for said purpose.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Ford, Gesford, Harp, Hoyt, Langford, McGowan, Maher, Mathews, Mitchell, Orr, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—29.

NOES—Mr. Ostrom—1.

Title read and approved.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file, at request of author, to retain its place.

Senate Bill No. 133—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Passed on file, at request of author, to retain its place.

LEAVE OF ABSENCE.

Senators, Mathews, Arms, Martin, and Ford, the committee appointed to visit the Asylum for the Insane at San Bernardino, were granted a leave of absence for that purpose.

Senator McAllister was granted leave of absence for the remainder of the day.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Committee Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Passed on file.

Senate Bill No. 313—An Act to provide a depository for the county funds.

Passed on file.

Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such Inspectors.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Whitehurst, Williams, and Wilson—26.

NOES—None.

Title read and approved.

Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Dunn, Everett, Fay, Flint, Harp, Hart, Hoyt, McGowan, Maher, Mitchell, Orr, Ragsdale, Seawell, Seymour, Whitehurst, Williams, and Wilson—22.

NOES—Messrs. Carpenter, Denison, Ostrom, and Simpson—4.

Title read and approved.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Read third time.

MOTION.

Senator Whitehurst moved that the bill be recommitted to Senator Carpenter, as a special committee of one, to amend as follows:

Strike out all of section six.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 547, with instructions to amend—has had the same under consideration, and respectfully reports the same back, amended as per instructions.

CARPENTER, Committee.

Report of special committee of one adopted.

Senate Bill No. 547 ordered printed and engrossed as amended, and to retain its place on file.

SECOND READING OF BILLS.

Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases pending an appeal to the Supreme Court.

Read second time, and ordered to engrossment and to a third reading.

Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Senator Ragsdale moved to amend by striking out all of section one thousand two hundred and seven, and insert in lieu thereof the following:

Section 1207. Any instrument affecting real property, which was, previous to the thirtieth day of January, one thousand eight hundred and seventy-three, copied into the proper book of record, kept in the office of any County Recorder, shall be deemed to have imparted, from and after July first, one thousand eight hundred and seventy-four, and to impart notice of its contents to subsequent purchasers and incumbrancers, notwithstanding any defect, omission, or informality in the execution of the instrument, or in the certificate of acknowledgment thereof, or the absence of any such certificate; but nothing herein shall be deemed to affect the rights of purchasers or incumbrancers previous to July first, one thousand eight hundred and seventy-four. Any instrument affecting real property which was, subsequent to the thirtieth day of January, one thousand eight hundred and seventy-three, and prior to the date of the passage of this Act, copied into the proper book of record, kept in the office of any County Recorder, shall be deemed to impart, after the date of the passage of this Act, notice of its contents to subsequent purchasers and incumbrancers, notwithstanding any defect, omission, or informality in the execution of the instrument, or in the certificate of acknowledgment thereof, or the absence of any such certificate; but nothing herein shall be deemed to affect vested or existing rights which shall have accrued or vested before the passage of this Act. Duly certified copies of the record of any such instrument may be read in evidence, with like effect as copies of an instrument duly acknowledged and recorded.

Adopted.

Senator Carpenter moved to amend by striking out all of section two.

Adopted.

Assembly Bill No. 60 ordered to print as amended, and on file for third reading.

President pro tem. R. B. Carpenter in the chair.

Senate Bill No. 347—An Act to establish a tax on collateral inheritances, to provide for its levy and collection, and to create therewith a fund for the maintenance of kindergartens.

Passed on file.

Senate Bill No. 79—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Senator Mahoney moved to substitute on file Assembly Bill No. 45 for Senate Bill No. 79, and that the same be read a second time.

So ordered.

By unanimous consent, Senator Mahoney was granted leave to withdraw Senate Bill No. 79.

Hon. J. B. Reddick, President of the Senate, in the chair.

Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department No. 4, and the appointment of a suitable person to act as Judge of said Court.

Read second time, and, on motion of Senator Mahoney, Assembly Bill No. 45 was made the special order for to-morrow at eleven o'clock A. M.

MOTION.

Senator Burke moved that to-morrow (Saturday) be devoted to the first and second reading of bills, excepting therefrom the time necessary for the consideration of special orders.

So ordered.

SUBSTITUTIONS.

Senator Seymour asked unanimous consent to withdraw Senate Bill No. 127 (No. 88 on file), and substitute Assembly Bill No. 21 (No. 125 on file) in lieu thereof.

So ordered.

Senator Seawell asked unanimous consent to withdraw Senate Bill No. 119 (No. 85 on file), and substitute Assembly Bill No. 100 (No. 401 on file) in lieu thereof.

So ordered.

Senator Whitehurst asked unanimous consent to withdraw Senate Bill No. 419 (No. 78 on file), and substitute Senate Bill No. 555 (No. 196 on file) in lieu thereof.

So ordered.

Senate Bills Nos. 127, 119, and 419 withdrawn.

REPORT OF STANDING COMMITTEE.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 622—An Act relating to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HART, Chairman.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 15, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 24.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, February 16, 1893. }

To the Senate of the State of California:

I desire to call your attention to some measures which I think deserve your prompt and careful attention. To the present time bills have been introduced in the Legislature calling for appropriations which, including the General Appropriation Bill, will amount to sixteen million dollars. It is my desire that every just claim against the State and every appropriation for necessary expenses in conducting the State institutions should be allowed. The experience of the Board of Examiners and other State officials in dealing with the various unliquidated claims against the State has convinced every one of them of the pressing necessity of legislation to carry into effect the provisions of section six of article twenty of the Constitution, relative to suits against the State. It is a well-known fact that the time of past Legislatures and of the Board of Examiners has been very largely consumed in the examination of doubtful claims against the State, many of which involve difficult questions of law and fact. The report of the Board of Examiners, laid before you at this session, shows that a very large number of claims have been examined by the Board, and as to many of them it had been unable either to approve or reject, it being impossible to make such a thorough examination as would result in exact justice to the claimant and at the same time protect the interest of the State. I see no reason why claims against the State should stand upon any different footing, at least as to the manner of examination and adjustment, from claims against private individuals. The State ought always to be willing, and it is manifestly to her interest, that such claims should be passed upon by the ordinary process of law. In fact, the exemption of the State from suit, though generally regarded as a privilege, is in my judgment decidedly injurious to her interests in many respects, especially the right to plead the statute of limitations. As the law now stands, claims which would be regarded as state if presented to a private individual, may and constantly are presented over and over again to the Legislature.

At different times the Legislature has passed Acts authorizing individuals to sue the State. If the principle in those Acts is good, it ought to be extended so as to apply to all cases which may be brought within its scope.

My attention has been called to Senate Bill No. 401 and Assembly Bill No. 374, which authorize suits against the State for all claims not allowed by the Board of Examiners. I have carefully examined these bills, and am of the opinion that if made law, the interests of all legitimate claimants will be thereby promoted, and the true interests of the State thoroughly guarded.

DEFICIENCIES.

It is customary to insert a clause in the General Appropriation Bill whereby officers and employes of the State are prohibited from creating a deficiency in excess of the appropriation, except in cases of actual necessity, and only then upon the unanimous consent first obtained of the Board of Examiners. It has been found to work most admirably and in the interest of the State so far as it applies. But there should be a general law to the same intent. An inspection of the file shows that Senate Bill No. 502 and Assembly Bill No. 550 have been introduced and are intended to cover this point. The State needs all the protection that such a law affords, and I urge the passage of the measures mentioned above.

EXEMPTION FROM EXAMINATION.

My attention has been called to the fact that many bills have been introduced making appropriations for various purposes, exempting the same from the provisions of section six hundred and seventy-two of the Political Code, which means that immediately upon the passage of these bills by the Legislature, the State Controller shall draw his warrant for the amount therein named, and the State Treasurer shall pay the same, and that they shall not pass the scrutiny of the Board of Examiners, the same as provided by law in all other cases. I look upon this principle as an exceedingly vicious one, and recommend to your honorable bodies that no appropriation having this clause in the bill should receive your sanction.

COYOTES.

At the last session of the Legislature a law was passed providing for the payment of the sum of five dollars out of the State Treasury for each coyote destroyed. No one at that time had an idea that it would prove such a burden upon the taxpayers of the State. The last quarterly report of the State Controller shows that there have been paid out during that quarter over fifty thousand dollars for coyote scalps. It is fair to presume that during the next two fiscal years the State will be called upon to pay out over four hundred thousand dollars, and the amount may reach half a million, for this purpose. I recommended in my message to your honorable bodies that the law be repealed, and Senate Bill No. 77 and Assembly Bill No. 87 have been introduced by some of your honorable members looking to such repeal.

In this connection, I desire to say that as I consider the fifty-cent limit still binding upon me, I most earnestly recommend that you consider the amount that will necessarily be paid out in pursuance of the provisions of this law, if permitted to stand, as a part of the necessary expenses of the State, and that the amount above named be considered in excess of the appropriations which you are called upon to make. I am convinced that the State has paid and will continue to pay for scalps taken without this State. If a bounty is to be paid, it should be largely reduced in amount and greater safeguards thrown around the proofs required as a guard against the possibility of fraud. The Board of Examiners is helpless. If a claim presented is correct in form, it must be allowed, for all evidence is destroyed before the claim is presented to the Board.

PUBLIC BUILDING IN SAN FRANCISCO.

Senate Bill No. 5 has already passed the Senate, and is now before the Assembly. This bill authorizes the appropriation of three hundred thousand dollars for the erection of a public building in San Francisco for the accommodation of the various State officers and employes located in that city. The idea of concentrating these officers in some one building is certainly worthy of favorable consideration; first, on account of the convenience to the people of the State, as it is almost impossible for any one not very familiar with San Francisco to expect to find all of them in much short of a week's time. Again, the rent for this purpose is simply enormous, as it amounts to over two thousand dollars per month. If the State is to pay twenty-four thousand dollars a year for rent, it becomes a grave question whether it is an economical proposition or not, especially as it is presumed that all State officers should be at the State Capitol, where abundant room could easily be supplied. But as a matter of convenience and economy there should be some relief in some direction. It has occurred to me that with a moderate appropriation good and sufficient accommodations could be provided in the new building now being erected by the Board of State Harbor Commissioners. The location is central, convenient, and eminently proper. One hundred thousand dollars ought to be sufficient to provide accommodations for every purpose, with the possible exception of that of the Supreme Court of the State, the location of which ought probably to remain nearer the new City Hall. I ask your very careful consideration of this proposition.

In view of the fact that at least eleven million dollars will be required for the maintenance of the various State offices and institutions during the next two years, and that at least eight hundred thousand dollars will be required to put the several uncompleted public institutions in condition for successful operation, and especially in view of the enormous amount of appropriations asked for, I do most earnestly urge that appropriations for the absolute necessities of the State should be first considered and allowed before those of a general character.

H. H. MARKHAM, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifteenth day of February, passed Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Also: Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Also: Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Also: Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and, in consequence thereof, extended beyond four years.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 72—An Act to provide for a day of rest from labor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixteenth day of February, passed Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

Also: Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Also: Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 270 substituted on file for Senate Bill No. 251, on motion of Senator Simpson.

Senate Bill No. 49 ordered to enrollment.

Assembly Bill No. 185 referred to Committee on Judiciary.

Assembly Bill No. 153 substituted for Senate Bill No. 146, on motion of Senator Ragsdale.

Assembly Bills Nos. 162 and 143 referred to Committee on Judiciary.

Senate Bills Nos. 346, 267, and 93 ordered to enrollment.

Assembly Bill No. 428 referred to Committee on Public Printing.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

RAGSDALE, Chairman.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Orr: Senate Bill No. 731—An Act to authorize the appointment of a commission by the Governor for the purpose of selecting and suggesting a permanent site and location for an additional State Prison.

Referred to Committee on Public Buildings.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Also: Senate Bill No. 659—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and thirty-six dollars and fifty-eight cents.

Also: Senate Bill No. 660—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom, and appropriated for other State purposes," and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893.

Also: Senate Bill No. 661—An Act to amend section three thousand six hundred and ninety-six of the Political Code, relating to the duties of the State Board of Equalization.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 2—Relative to amending the Constitution by repealing sections four and five of article thirteen, and by amending section one of said article—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

EARL, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred the memorial from the Federated Trades Council of Sacramento—have had the same under consideration, and respectfully report the same back, and submit the following report:

We have made a full and careful examination of the facts presented in said statement, and find that the offer made by the Commercial Publishing Company of San Francisco to do the State printing for the low figure of fifty thousand dollars is not only an utter impossibility, but, as we believe, a fraud, patent upon its face.

It is the unanimous expression of your committee that we have implicit confidence in the present management of the State Printing Office in all its departments.

That the utmost economy is practiced in all the details pertaining to the public printing, and we are thoroughly convinced that the work is now being done 50 per cent cheaper than when done by public contract, and in a much more artistic manner.

Further, we conclude that the intention of the bid of the Commercial Publishing Company is to disorganize the State Printing Office, and is an underhanded thrust for the purpose of stopping the publication of the State school books, thereby attempting to crush out a laudable governmental enterprise, established by the will of the people expressed at the polls.

Your committee denounces this method of attack as unwarranted and unworthy of consideration by the Senate.

We further earnestly submit for your consideration the great importance of encouraging and maintaining the State Printing Office, economically conducted, as an institution that reflects great credit upon California, the benefits of which are many and far extending to our people.

• STREETER, Chairman.

ADJOURNMENT.

At four o'clock and fifteen minutes P. M., on motion of Senator Maher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, February 18, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Seawell.

APPROVAL OF JOURNALS.

The Journals of Tuesday, February 14th, Wednesday, February 15th, Thursday, February 16th, and Friday, February 17th, were each approved.

MINORITY REPORT OF COMMITTEE ON CORPORATIONS.

Senator Seawell, of the Committee on Corporations, presented the following minority report, and asked that the same be printed in the Journal.

So ordered.

IN SENATE—MINORITY REPORT OF COMMITTEE ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: The minority of your Committee on Corporations, having under consideration Assembly Bill No. 10—An Act in relation to reassessment of property, and the equalization of the same in cases where a former assessment is invalid or void, and in relation to collection of taxes on said reassessments—dissent from the recommendation and the report of the majority of said committee submitted in Senate February 14, 1893, and submit the following report, and present herewith a substitute attached hereto, and marked "Exhibit A," and recommend that such substitute do pass:

We dissent from the statement of facts and conclusions of law contained in said majority report, and respectfully represent that in the investigation before said committee relative to the subject of delinquent taxes due from railroads, the delinquent railroad companies were represented by counsel, and the evidence taken was that of witnesses produced by such counsel. The State was not represented by any of its officers, and no testimony was offered on behalf of the State.

It was sought upon the cross-examination of certain witnesses to show that the findings in many of the tax suits tried in the United States Circuit Court, some of which were afterwards taken to the United States Supreme Court on writs of error, were false and erroneous, but the Chairman refused to admit such evidence, upon the ground that the judgment upon which the findings were based were conclusive, and that it was not competent to go behind the record to prove such record to be false and erroneous, and yet the Chairman did permit the record of the State Board of Equalization to be attacked by the very witnesses sought to be cross-examined, in an attempt to show that a Federal franchise had been assessed to the Central and Southern Pacific Railroad Companies for each year prior to 1888.

The one record was certainly as entitled to credit as the other. The Constitution and laws of the State prescribed the things which the State Board of Equalization shall assess, and the assessment rolls or books certified by the Chairman and Clerk of the Board show that the Board assessed the things specified in the law, and none other. The testimony before the committee did not show that any member of the Board at any time ever proposed to assess a Federal franchise, or did in fact assess such a franchise. But it is assumed that as the Board assessed a *franchise*, there being a State and Federal franchise, that of necessity both were included, yet the record is that a *franchise*—not franchises—was assessed. Every presumption of law is in favor of the validity of the act of an officer acting within the scope of the authority conferred by law, and in this matter the presumption is supported by the written record of the proceedings of the Board making the assessments. In the Superior Court of San Francisco, on February 3, 1893, a decision was rendered by Judge Hebbard in favor of the State and against the Central and Southern Pacific system of railroads, in the suit to collect the taxes due for the year 1887 upon the assessments for that year made by the State Board of Equalization.

Judgment was given for the taxes, costs, penalties, interest, and attorneys' fees, aggregating about \$996,500. Testimony similar to that introduced before the committee was introduced in Judge Hebbard's Court, and in the opinion filed the Court says:

"The evidence introduced by defendants in support of the allegation of their affirmative defense, that a Federal franchise was included in the assessment of 1887, was objected to by the plaintiff as incompetent."

It consisted mainly of the testimony of Mr. Morehouse, of the State Board of Equalization for that year.

Mr. Morehouse testified that the Federal franchise was included in the assessments against the Central and Southern Pacific Companies for the year 1887.

Defendants also introduced certain documentary evidence to show that the assessments for the succeeding year, 1888, were much lower than in 1887, and that the State franchise was particularly specified and described therein, as a circumstance corroborating the statement of Mr. Morehouse, to the introduction of which plaintiff also objected.

In rebuttal of this evidence, plaintiff placed upon the witness stand two other members of the Board for the year 1887, Mr. Wilcoxon and Mr. Dunn.

Mr. Wilcoxon was not quite positive in his testimony, but his best recollection was that the Federal franchise was not included by the Board in making the assessment for 1887.

Mr. Dunn testified positively that such franchise was not included in the assessment for that year. No other members of the Board were called, and, as far as parole evidence is concerned, the burden of proof being on the defendants, the *fact* must be found against them.

Further in rebuttal, plaintiff proved by the sworn statement of defendants, furnished by themselves and filed in the office of the State Board of Equalization in 1887, under Section 3664 of the Political Code, that the assessment, as made by the Board for that year, and contained in the "Duplicate Record of Assessment of Railways," is in the exact language not only of Section 10, Article XIII, of the State Constitution, but also in the exact language of their sworn statement, to wit:

"The value of the franchise and entire roadway, roadbed, and rails within this State is," etc.

Plaintiff also proved, by similar sworn statements of defendants for 1888, relied upon by them as a circumstance proving their allegations, that the taxes for 1887 were therein claimed by them as a *liability*, and *actually deducted as expenses paid* from the earnings of the roads for 1887, as though the taxes had actually been paid; manifestly in order that the balance thereby diminished might result in a lower assessment upon them.

It would seem, therefore, that the assessment being made upon their own theory, in their own language, and in the language of the Constitution and of the Code, and a year later the taxes thereon recorded and sworn to by them as a liability, that the defendants are now estopped to deny the sufficiency and validity of those assessments under the authority of *People vs. Flood*, 64 Cal. 504; *Cadwalader vs. Nash*, 75 Cal. 43; *Dear vs. Varnum*, 80 Cal. 86.

The defendants are especially estopped to deny the sufficiency of the assessments, for they have failed, utterly, to show that the assessments, as made, are excessive, and not in just proportion to the real value of the property.

There is ambiguity, either patent or latent, upon the face of the "Duplicate Record." The word "franchise" is in the singular number, and described to be "within this State."

The presumption is that the State Board performed its duty under the law, not that it deliberately acted in violation of law, and as the evidence shows that the decision of our Circuit Court declaring the assessment of a Federal franchise was known by the members of the Board prior to the making of these assessments, in 1887, it is to be presumed that they acted in accordance with the decision.

But if the parole evidence offered did not weigh in plaintiff's favor, and if by a preponderance of such evidence defendants could have shown that the State Board intended to, and did include, a Federal franchise in the assessment, I think the Court would have to disregard it as incompetent.

The effect of such parole evidence would be to contradict the record, which cannot be done.

The best and only evidence of the acts and intentions of deliberative bodies must be drawn from the record of its intentions.

"From both standpoints of facts and of law, the findings must be that a Federal franchise was not included in these assessments."

Here, then, is a finding based upon substantially the same evidence that was produced before this committee, holding that the Federal franchise was not included in the assessments for the year 1887, as found and reported by the majority of this committee.

It is not astonishing at all, to one who has examined the records of the tax cases in the Circuit Court, to understand the ease with which the attorneys for the railroads were enabled to secure findings that the Federal franchise, fences, and steamboats were included in the assessments made for the years 1883 and 1884, taken up to the Supreme Court of the United States.

The testimony taken before the Assembly Judiciary Committee of 1889, at pages 66, 69, and 191 of the printed report (statement of Mr. Dunn, and testimony of Mr. Baggett and Judge Sawyer), prove that the cases for the taxes of 1883 and 1884 were never actually tried, but were submitted on a stipulation signed by Attorney-General Marshall and Creed Haymond, that all the cases should be submitted on the testimony in the Santa Clara case, in which were findings that the Federal franchise and fences were included in the assessments. Judge Sawyer stated (page 191 of same report) that the cases for the taxes of 1885 were submitted on the same testimony, viz., the testimony in the Santa Clara case. As the Santa Clara case was decided by the United States Supreme Court on May 10, 1886, and this stipulation was made after that decision, it resulted that the State's attorneys consented to findings which were in all respects similar to those in the Santa Clara case, and sufficient to preclude recovery by the State.

The assessments for the years 1880, 1881, and 1882 were made by the Board of Equalization that retired in January, 1883, yet the assessments for 1883, 1884, and 1885 were found to include the Federal franchise, fences, and steamboats, based on testimony given in the Santa Clara case, in relation to the assessments of 1880, 1881, and 1882, by persons who had nothing whatever to do with making the assessments for 1883, 1884, and 1885, which testimony was wholly inapplicable to show what kinds of property were assessed by their successors in office, during the years 1883, 1884, and 1885. The 1887 cases recently tried and decided by Judge Hebbard are the only tax suits in which the issue as to whether the Federal franchise was really assessed or not, was ever actually and fairly contested and tried.

We think that the Hebbard decision is conclusive on the point. Suits involving taxes for the years up to and including 1884 have been decided by the United States Supreme Court adversely to the State. In the cases for the taxes of the year 1885 judgments were rendered against the State, and they were not removed from the Circuit Court, but were by stipulation made to abide by the decision in the 1883 and 1884 cases decided in 127 U. S. Reports. The majority find as a matter of law that the State has no claim for any of the taxes prior to the year 1885, and no standing upon which to reassess the proper-

ties of the delinquent railroads for the years prior to 1885, and state that in their opinion "to pass a law attempting to reassess said properties and collect the taxes thereon for any period of time prior to the year 1885, would place the State of California in the attitude of being in conflict with the judgments, orders, and decisions of the Courts of the United States, and would result in nothing except extended litigation, exceedingly expensive to the State, without adding anything to the revenues of the State."

We are unable to see the soundness or consistency of this opinion, in view of the fact that judgments have been entered against the State in the suits brought for the taxes of the year 1885, and such judgments have become final under the stipulation by which they were made to abide the decision in the 1883 and 1884 suits, and consequently a law attempting to reassess and levy taxes for the year 1885 would, if the position of the majority of the committee be correct, be as much "in conflict with the judgments, orders, and decisions of the Courts of the United States," as would be a law attempting to reassess property and levy taxes for the years 1880 to 1884, inclusive.

It is also stated in the majority report that the provisions of the Political Code, relative to the *assessment, levy, and collection of taxes*, were declared unconstitutional in the action of the People vs. Central Pacific Railroad Company, 83 Cal., p. 393. This statement is erroneous. The Court in that case did not find the laws with reference to the method of assessment or the levy of taxes unconstitutional. It was the method of collection by which railroads were required to pay all the State and county taxes to the State Treasurer, at the Capitol; that was declared unconstitutional as being special legislation, and not the method of assessment and levy of taxes. Again, the decision by Judge Hebbard above referred to, establishes the fact that the taxes can be legally collected. Therefore, the finding in the majority report that "the entire assessment of said railroads for the said three years, 1885, 1886, and 1887, is, in the judgment of your committee, invalid and void, and that no tax upon said properties for said years can be collected by law until said properties shall have been reassessed and taxes levied in accordance with the Constitution of the State and of the United States," is not justified in law or in fact.

We are of the opinion that the people of the State will not be satisfied with any compromise of this matter, but, on the contrary, demand of their representatives in this Legislature the passage of a law that will compel the delinquent railroad companies to make full payment of their just and fair proportion of the burdens of government. The delinquent railroad companies have, during all these years, received the equal protection of the laws of the State in respect to their rights and property, without contributing to the necessary cost and expense of maintaining and executing the law, thereby increasing the burdens of the remaining taxpayers of the State.

Want of good faith and sincerity of purpose in their professions, expressive of a desire for a settlement of this question, have marked the course of these companies throughout the conduct of this litigation. The commentary of Judge Hebbard on this point, in his decision in the 1887 cases, is as follows:

"In conclusion, it may be said that none of the questions involved in these actions are novel. They have all been passed upon either directly or indirectly by the Courts of the various States, and of the United States. There is little in the contentions of defendants, as herein made, to commend them to the favorable consideration of a Court of justice.

"They had abundant opportunity to show good faith in the matter of these taxes, either under Section 3665 of the Political Code, by appearing before the Board of Equalization to have the assessments corrected in any particular illegal or unjust to them, or under Section 3669, Political Code, by payment of, and suit to recover back said taxes, neither of which opportunities were availed of by defendants as far as this Court is informed. But instead, they come into Court, offering to pay no portion of their taxes, valid or invalid, resisting the payment of every cent thereof, and seek to avoid liability by technical defenses, which are not sustained, either in fact or in law."

As further evidence of the want of good faith, the San Pablo and Tulare case now on appeal to the Supreme Court of the United States as the result of an agreement arrived at between the Assembly Judiciary Committee of 1889 and the chief counsel of these companies, has not been heard or determined by that Court because of the opposition of the attorneys for the railroad against the protest of the State. This case at the time the agreement was made, was expected to result in a complete settlement of this controversy. The majority of the Judiciary Committee, in their report to the Assembly, March 14, 1889, said: "We are now able to say that, as a result of the inquiry into which this committee has entered, a stipulation has now been entered into and signed between the Attorney-General and the chief counsel of the Southern Pacific Railroad Company, whereby it is agreed to submit to the Supreme Court of the United States, on *agreed findings*, the Tulare and San Pablo case, which involves alone the question of the constitutionality under the fourteenth amendment to the Constitution of the United States, of the system of taxation under our present Constitution. And that your committee believe that a decision in this case will determine the Federal questions at issue between the State of California and the railroad companies."

The substitute bill presented with the majority report provides for the discontinuance of the action of the People of the State of California vs. San Pablo and Tulare Railroad Company, now on the docket of the Supreme Court of the United States, and in our opinion that case should not be discontinued, but on the contrary every effort should be made to induce the Supreme Court to take up and decide the constitutional questions presented in the record. The said substitute bill presented by the majority of the committee would also suspend and abate the actions just decided by Judge Hebbard. We

are of the opinion that the Legislature is not prepared to adopt so foolhardy a proposition. As before stated, the judgments in these actions are for about the sum of \$966,500, all of which sum, except about \$64,000 allowed as attorneys' fees, will, if the judgments be affirmed, as is confidently predicted by the State's attorneys, find its way into the State and county treasuries.

A proper reassessment bill in our judgment, should embrace the entire period since the adoption of the present Constitution in 1879, and we present herewith such a bill, and recommend its adoption as a substitute for Assembly Bill No. 10, and in lieu of the substitute reported and recommended by the majority of this committee.

J. H. SEAWELL.

Exhibit "A."

An Act in relation to reassessment of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to levy and collection of taxes on said reassessments.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every assessment of property made after the year one thousand eight hundred and seventy-nine which is invalid, or may hereafter be adjudged to be, by reason of any illegality, invalidity, or irregularity declared or existing in the assessment of such property, or in the mode provided for the assessment thereof, shall be remade and the property reassessed and equalized for each year for which such assessment is invalid as aforesaid, and for the year for which the assessment of such property was invalid as aforesaid, and such reassessment and equalization shall be made by the same officers and boards, at the same time or times, as is now prescribed by law for the assessment and equalization of property, of the same classes or kinds as the property which hereby is required to be reassessed. The assessment and equalized assessment of such property shall be entered on the several assessment rolls or books in the same manner that assessments of such property are required by law to be entered for the year or years during which such reassessments shall be made. And there is hereby levied for State purposes the same rates of taxation for each of such respective years as were heretofore levied upon such property for each of said years for said State purposes.

SEC. 2. All taxes for county, cities and counties, and lesser taxing districts, shall be levied by the proper Board or Boards upon the property mentioned in the first section of this Act, at the same rates at which they were levied upon property for each of said years after the year eighteen hundred and seventy-nine.

SEC. 3. All property authorized to be reassessed by this Act shall be reassessed and equalized by proper officers and Boards at the value and upon the estate and to the person or corporation to whom or to which such property ought for each of such years to have been assessed, under such rules of notice and at the times and in the modes as are prescribed for the assessment and equalization of like classes of property; and the assessment and equalization thereof, and the levy and collection of taxes thereunder, shall be made by the proper officers at the time, upon like notice and in the manner now or hereafter provided by law for making assessments and equalizing the same, and for the levy and collection of taxes on like classes of property, and if the taxes so relieved shall become delinquent, there shall be added thereto and the amount thereof the same percentage as a penalty for such delinquency as is added to other delinquent taxes on like classes of property, and such delinquent taxes and penalties added thereto shall be collected by the proper officers in the manner now or hereafter provided by law for the collection of delinquent taxes and penalties upon like classes of property; the collectors of such taxes to allow as credits thereon all payments heretofore made on the tax as first levied.

SEC. 4. There shall be no limitations as to the time in which actions for the collections of taxes levied under this Act may be commenced, and all the provisions of law now or hereafter provided in respect to assessments, equalization, levy, and collection of taxes shall, where applicable, apply to reassessments, equalization, and relieves and collections of taxes made under the provisions of this Act.

SEC. 5. This Act shall apply to taxes only, and not to assessments for local improvements or street purposes.

SEC. 6. This Act shall take effect and be in force from and after its passage.

LEAVE OF ABSENCE.

Senator McAllister was granted leave of absence for the day, on motion of Senator Shippee.

Senator Langford was granted leave of absence for the day, on motion of Senator Ostrom.

Senator Burke was granted leave of absence for the day, on motion of Senator Streeter.

Senator Fay was granted leave of absence for the day, on motion of Senator Mitchell.

RESOLUTION—(OUT OF ORDER).

Senator Earl, by unanimous consent, offered the following:

Resolved, That P. M. Fisher be and he is hereby appointed a Clerk to the Senate Committee on County Government and Township Organization, at a per diem of five dollars, the same to be paid out of the Senate Contingent Fund.

Senator Earl moved the adoption of the above resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Broderick, Campbell, Denison, Dunn, Earl, Everett, Flint, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.

NOES—Messrs. Bailey and Ostrom—2.

SPECIAL ORDERS.

Substitute for Senate Bills Nos. 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

On motion of Senator Ostrom, the consideration of Substitute for Senate Bills Nos. 157, 372, 373, and 441 was postponed and made the special order for Monday next at three o'clock and thirty minutes P. M.

GENERAL FILE—FIRST READING OF BILLS.

Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Read first time, and placed on file for second reading.

Senator Berry moved that the second reading of bills be passed for the day, and that first reading of bills be the order of business for the day.

So ordered.

Senator Voorheis was granted unanimous consent to withdraw Senate Bill No. 574 (No. 18 on file), and to substitute therefor Assembly Bill No. 627, they being identical bills.

The history of Senate Bill No. 574 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 574 withdrawn, and Assembly Bill No. 627 substituted therefor on file.

RESOLUTION—(OUT OF ORDER).

Senator Carpenter, by unanimous consent, offered the following:

Resolved, That Assembly Bill No. 10—An Act in relation to reassessments of property—be and hereby is made a special order for Friday, February 24, 1893, immediately after the reading of the Journal, and that the same have precedence over all other measures until the same is disposed of on second reading.

Adopted.

By unanimous consent of the Senate, the President declared the reports of standing committees and introduction of bills would be this day permitted.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 282—An Act to amend an Act entitled "An Act in relation to foreign corporations"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 644—An Act relating to the operation of railroads—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 371—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author have leave to withdraw it.

Also: Senate Bill No. 268—An Act providing for the sale of railroad and other privileges in municipalities.

Also: Senate Bill No. 340—An Act to amend an Act entitled "An Act to establish a Civil Code," by adding a new section thereto, relating to fire and marine insurance.

Have had the same under consideration, and respectfully report the same back without recommendation.

CARPENTER, Chairman.

Consent given for withdrawal of Senate Bill No. 371.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 645—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

Also: Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Also: Senate Bill No. 570—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CAMPBELL, Chairman.

Senate Bills Nos. 606, 645, 245, and 570 re-referred to Committee on Finance.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 705—An Act making an appropriation to pay deficiency in the appropriation for State's portion of salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Also: Senate Bill No. 689—An Act to provide for appointment of Board of Colton Hall Trustees, and for acquisition of Colton property, and making an appropriation in regard to same.

Also: Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for the moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Also: Senate Bill No. 591—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 172—An Act for the relief of Peter E. Farrel, and to appropriate money therefor—have considered the same, and respectfully report it back without recommendation.

Also: Senate Bill No. 654—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 152—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Also: Senate Bill No. 676—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections thirteen and seventeen thereof.

Also: Senate Bill No. 154—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

SEYMOUR, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 697—An Act creating a Board of Commissioners of the building and loan associations, and prescribing their duties and powers.

Also: Senate Bill No. 690—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Referred to Committee on Finance.

By Senator Carpenter: Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Referred to Committee on Finance.

By Senator McGowan: Senate Bill No. 734—An Act to repeal the Act of March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval."

Referred to Committee on Judiciary.

By Senator Mahoney (by request): Senate Bill No. 735—An Act to pay the claim of Thomas Curtin, or his heirs, against the State of California, and making an appropriation therefor.

Referred to Committee on Claims.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Carpenter: Senate Constitutional Amendment No. 18—To propose to the people of the State an amendment to the Constitution of the State, relative to the judiciary department.

Referred to Committee on Constitutional Amendments.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department No. 4, and the appointment of a suitable person to act as Judge of said Court.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Denison, Dunn, Earl, Everett, Flint, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Senators Bailey, Denison, and Everett were granted a leave of absence for the remainder of the day.

MOTION.

Senator Maher moved that the Senate concur in the following amendments to Senate Bill No. 72.

ASSEMBLY AMENDMENT NO. 1.

Amend by striking out of section one, line four, the following: "and excepting also."

Amendment concurred in.

ASSEMBLY AMENDMENT NO. 2.

Amend by striking out of section one, line five, the following words: "domestic servants."

Amendment concurred in.

Senate Bill No. 72 ordered to reëngrossment and enrollment.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Seawell: Senate Bill No. 736—An Act to prevent compulsory prostitution of women, and the importation of Chinese or Japanese women for immoral purposes, and to provide penalties therefor.

Referred to Committee on Education and Public Morals.

By Senator Orr: Senate Bill No. 737—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by amending section four, in regard to the posting of notices of all street work before advertising for proposals, or award of contracts.

Referred to Committee on City, City and County, and Town Governments.

By Senator Earl: Senate Bill No. 738—An Act to amend an Act entitled "An Act giving consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891.

Referred to Committee on Judiciary.

By Senator Carpenter: Senate Bill No. 739—An Act to amend section six hundred and seventy-two of the Political Code, relating to the Board of Examiners.

Referred to the Committee on Judiciary.

Also: Senate Bill No. 740—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to amend section nine hundred and six thereof, relating to grand juries.

Referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 1—To amend section seven of article one of the Constitution of California, relating to trial by jury.

Also: Senate Constitutional Amendment No. 3—Relating to division of counties.

Also: Senate Constitutional Amendment No. 5—Amending article one of the Constitution, relating to trial by jury.

Also: Senate Constitutional Amendment No. 12—Providing for the election of Railroad Commissioners.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Your committee has had under consideration Senate Constitutional Amendment No. 18—Relating to Judiciary Department—and report the same back, and recommend it be adopted.

EARL, Chairman.

SPECIAL FILE—FIRST READING OF BILLS.

Senate Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

Read first time, and placed on file for second reading.

Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General, in transcribing records and plat books in his office.

Read first time, and placed on file for second reading.

Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and

management of the same, and to make an appropriation therefor," approved March 11, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Read first time, and placed on file for second reading.

Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the forty-second and the forty-third fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Read first time, and placed on file for second reading.

Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for completing and furnishing the Training Department building of the State Normal School at San José, California.

Read first time, and placed on file for second reading.

Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Read first time, and placed on file for second reading.

Senate Bill No. 639—An Act making an appropriation from the State School Book Fund to supply the deficiency in the present appropriation from the General Fund for compiling State School text-books for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Read first time, and placed on file for second reading.

Senate Bill No. 659—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Read first time, and placed on file for second reading.

Senate Bill No. 660—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom, and appropriated to other State

purposes," and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893.

Read first time, and placed on file for second reading.

Senate Bill No. 608—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution," approved March 2, 1891.

Read first time, and placed on file for second reading.

Senate Bill No. 150—An Act to amend section three thousand seven hundred and fifty-one of the Political Code of this State, relating to revenue and taxation.

Read first time, and placed on file for second reading.

GENERAL FILE—FIRST READING OF BILLS.

Senate Bill No. 432—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read first time, and placed on file for second reading.

Senate Bill No. 484—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of incumbered live stock.

Read first time, and placed on file for second reading.

Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Read first time, and placed on file for second reading.

Senate Bill No. 633—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Read first time, and placed on file for second reading.

Senate Bill No. 161—An Act for the creation of a Commission for the promotion of uniformity of legislation in the United States.

Read first time, and placed on file for second reading.

Senate Bill No. 216—An Act to amend section three hundred and eighty-five of the Code of Civil Procedure of the State of California,

relating to the bringing and continuance of actions and proceedings upon the death or disability of a party or person interested in certain causes of action.

Read first time, and placed on file for second reading.

Senate Bill No. 258—An Act to amend section three thousand seven hundred and seventy of the Political Code, relating to the duties of Tax Collectors.

Read first time, and placed on file for second reading.

Senate Bill No. 324—An Act to amend sections seven hundred and ninety-two and eight hundred and one of the Political Code of the State of California, relating to the qualifications and liabilities of Notaries Public.

Read first time, and placed on file for second reading.

Senate Bill No. 424—An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estate of deceased persons, to be known as section one thousand six hundred and seventy.

Read first time, and placed on file for second reading.

Senate Bill No. 185—An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding one new section thereto, to be known as Section 6a, providing for qualification to vote for assignee; to amend section fifteen of said Act, providing for election of assignee; and to amend section fifty-five of said Act, touching fraudulent preferences and transfers.

Read first time, and placed on file for second reading.

WITHDRAWAL OF BILLS.

Unanimous consent was given Senator Bailey to withdraw Senate Bill No. 237 (No. 26 on file), and to substitute therefor Assembly Bill No. 126, an identical bill; also, to withdraw Senate Bill No. 236 (No. 43 on file), and to substitute Assembly Bill No. 128, an identical bill, therefor.

Senate Bills Nos. 237 and 236 withdrawn and substitution mentioned above ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred and three, relating to liens of mechanics and others.

Also: Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Also: Committee Substitute for Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Also: Substitute for Senate Bill No. 120—An Act to appropriate one hundred thousand

dollars for the Mendocino State Asylum to complete the female ward; to purchase furniture, and furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the grounds, and constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor, and provide for the expenditure of the same.

Also: Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor.

RAGSDALE, Chairman.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Berry, Broderick, Campbell, Dunn, Earl, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 741—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Referred to Committee on Finance.

Also: Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 743—An Act making an appropriation for the transportation of insane for the forty-fourth fiscal year.

Referred to Committee on Finance.

GENERAL FILE—(RESUMED)—FIRST READING OF BILLS.

Senate Bill No. 272—An Act to amend sections two hundred and fifty-eight and two hundred and fifty-nine of the Code of Civil Procedure, relative to the powers and duties of Court Commissioners.

Read first time, and placed on file for second reading.

Senate Bill No. 275—An Act to repeal section three thousand eight hundred and eighteen of the Political Code, relating to preferred purchasers for lands sold to the State for taxes.

Read first time, and placed on file for second reading.

Senate Bill No. 289—An Act to amend section one hundred and seventy-two of the Civil Code of the State of California, relating to the husband's control and disposition of the community property.

Read first time, and placed on file for second reading.

Senate Bill No. 335—An Act to amend sections numbered nine hundred and fifteen and nine hundred and seventeen of the Penal Code, and to repeal sections numbered nine hundred and sixteen, nine hundred and twenty-two, nine hundred and twenty-eight, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of said Penal Code.

Read first time, and placed on file for second reading.

Senate Bill No. 285—An Act to amend section one thousand one hundred and seventy of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time, and placed on file for second reading.

Senate Bill No. 385—An Act to provide for the incorporation, operation, and management of coöperative associations.

Read first time, and placed on file for second reading.

Senate Bill No. 356—An Act to amend section one thousand four hundred and eleven of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to special administrators.

Read first time, and placed on file for second reading.

Senate Bill No. 374—An Act to amend section six hundred and thirty-two of the Code of Civil Procedure, relative to the trial of causes by the Court.

Read first time, and placed on file for second reading.

Senate Bill No. 375—An Act to amend section six hundred and thirty-three of the Code of Civil Procedure, relating to trial by Court.

Read first time, and placed on file for second reading.

Senate Bill No. 376—An Act to amend section six hundred and sixty of the Code of Civil Procedure, relative to new trials.

Read first time, and placed on file for second reading.

Senate Bill No. 387—An Act to fix the fees, commissions, and charges of Sheriffs while acting as receivers in insolvency proceedings, and for the disposition of the same.

Read first time, and placed on file for second reading.

Senate Bill No. 554—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Read first time, and placed on file for second reading.

Senate Bill No. 276—An Act to add a new section to the Penal Code of the State of California, to be designated as section four hundred and two, relating to the duties of females employed in mercantile and manufacturing occupations.

Read first time, and placed on file for second reading.

Senate Bill No. 392—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Read first time, and placed on file for second reading.

Senate Bill No. 590—An Act to create the county of Santa Rita, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Read first time, and placed on file for second reading.

Senate Bill No. 490—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Read first time, and placed on file for second reading.

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Read first time, and placed on file for second reading.

Senate Bill No. 350—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding two new sections thereto, concerning attorneys and counselors at law, chapter one, title five, part one.

Read first time, and placed on file for second reading.

Senate Bill No. 609—An Act to amend section three thousand and forty-six of the Civil Code of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 517—An Act to amend section one thousand five hundred and thirty-nine of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 518—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 519—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 626—An Act to amend section two hundred of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to exemption from jury duty.

Read first time, and placed on file for second reading.

Senate Bill No. 591—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Read first time, and placed on file for second reading.

Senate Bill No. 330—An Act in relation to proceedings of Courts of Justice in civil cases, being an Act to amend sections two hundred and sixty-nine, six hundred and thirty-two, six hundred and forty-three,

six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, six hundred and forty-nine, six hundred and fifty, six hundred and fifty-one, six hundred and fifty-two, six hundred and fifty-eight, six hundred and fifty-nine, six hundred and sixty, six hundred and sixty-one, six hundred and seventy, nine hundred and fifty, nine hundred and fifty-one, nine hundred and fifty-two, nine hundred and fifty-three, nine hundred and fifty-nine, nine hundred and sixty, nine hundred and sixty-one, and nine hundred and sixty-two of the Code of Civil Procedure of the State of California, and to repeal sections six hundred and thirty-three, six hundred and thirty-four, and six hundred and fifty-six of said Code of Civil Procedure, and to add four new sections to said Code of Civil Procedure, to be numbered, known, and designated, respectively, as Sections 951*a*, 953*a*, 962*a*, and 962*b*.

Read first time, and placed on file for second reading.

Senate Bill No. 280—An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and as a part of the government thereof to provide for the regulation of disputes to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration.

Read first time, and placed on file for second reading.

Assembly Bill No. 10—An Act in relation to reassessments of property and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

Read first time, and placed on file for second reading.

Senate Bill No. 673—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Read first time, and placed on file for second reading.

Senate Bill No. 527—An Act to amend the Political Code, changing the boundary line between the counties of Yolo and Sacramento.

Read first time, and placed on file for second reading.

Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Read first time, and placed on file for second reading.

Senate Bill No. 526—An Act authorizing persons having claims against the State, or against counties or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgment therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 475—An Act to add a new section to title eleven, chapter two of part two of the Penal Code of the State of California, to be designated section one thousand four hundred and seventy-one, and relating to the filing of an undertaking on appeal in criminal cases wherein execution has been levied to collect a fine.

Read first time, and placed on file for second reading.

Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money

for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read first time, and placed on file for second reading.

Senate Bill No. 630—An Act to amend section one thousand eight hundred and eighty of the Code of Civil Procedure of the State of California, relating to witnesses.

Read first time, and placed on file for second reading.

Senate Bill No. 638—An Act to amend section seventy-one of the Code of Civil Procedure.

Read first time, and placed on file for second reading.

Senate Bill No. 618—An Act entitled an Act to enable railroad companies to complete their railroads.

Read first time, and placed on file for second reading.

Senate Bill No. 439—An Act to amend section seven hundred and sixty-eight of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property.

Read first time, and placed on file for second reading.

Senate Bill No. 500—An Act to amend section six hundred and forty-one of the Code of Civil Procedure, relating to appointments and qualifications of referees in civil actions and proceedings.

Read first time, and placed on file for second reading.

Senate Bill No. 498—An Act to amend section two hundred and fifty-eight of the Code of Civil Procedure of the State of California, relating to the appointment of Court Commissioners.

Read first time, and placed on file for second reading.

Senate Bill No. 497—An Act to amend section five hundred and sixty-six of the Code of Civil Procedure, relating to receivers in civil actions and proceedings.

Read first time, and placed on file for second reading.

Assembly Bill No. 31—An Act to amend section one hundred and fifty-nine and one half of the Penal Code, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Read first time, and placed on file for second reading.

Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person, to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

Read first time, and placed on file for second reading.

Senate Bill No. 337—An Act to amend sections one thousand eight hundred and eleven, one thousand eight hundred and twelve, one thousand eight hundred and thirteen, one thousand eight hundred and fourteen, one thousand eight hundred and fifteen, one thousand eight hundred and seventeen, one thousand eight hundred and eighteen, and one thousand eight hundred and nineteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872.

Read first time, and placed on file for second reading.

Senate Bill No. 629—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Read first time, and placed on file for second reading.

Senate Bill No. 628—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reentry upon real property.

Read first time, and placed on file for second reading.

Senate Bill No. 600—An Act to amend section seven hundred and ninety-one of the Political Code of the State of California, relating to the appointment and number of Notaries Public in the several counties of said State.

Read first time, and placed on file for second reading.

Senate Bill No. 520—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal section seven hundred and ninety-three of said Code, relating to the term of office of Notaries Public," approved March 19, 1889.

Read first time, and placed on file for second reading.

Senate Bill No. 510—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Read first time, and placed on file for second reading.

Senate Bill No. 542—An Act amendatory of chapter three, title four, of the Code of Civil Procedure, relative to phonographic reporters.

Read first time, and placed on file for second reading.

Senate Bill No. 540—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, title eleven, chapter three, article three, section one thousand three hundred and sixty-five, concerning letters of administration, to whom and in the order in which they are granted.

Read first time, and placed on file for second reading.

Senate Bill No. 513—An Act to amend section two hundred and twenty-six of the Civil Code of the State of California, relating to the adoption of children, and to repeal section two hundred and thirty of the Civil Code of the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Read first time, and placed on file for second reading.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Read first time, and placed on file for second reading.

Senate Bill No. 485—An Act to amend section two hundred of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualifications and exemptions of jurors.

Read first time, and placed on file for second reading.

Senate Bill No. 465—An Act to amend section one thousand three hundred and sixty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons.

Read first time, and placed on file for second reading.

Senate Bill No. 456—An Act to provide for the publication of legal notices.

Read first time, and placed on file for second reading.

Senate Bill No. 585—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, title eleven, chapter three, article three, section one thousand three hundred and sixty-five, concerning letters of administration, to whom and the order in which they are granted.

Read first time, and placed on file for second reading.

Senate Bill No. 578—An Act permitting Mrs. Emma Kelly to sue the State for damages for the death of her husband, George H. Kelly, deceased.

Read first time, and placed on file for second reading.

Senate Bill No. 521—An Act relating to the trial of actions for divorce.

Read first time, and placed on file for second reading.

Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Read first time, and placed on file for second reading.

Senate Bill No. 594—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Read first time, and placed on file for second reading.

Senate Bill No. 548—An Act to amend section two thousand five hundred and twenty of the Political Code, relating to the Board of State Harbor Commissioners, the powers, duties, and terms of office, and time of taking office.

Read first time, and placed on file for second reading.

Senate Bill No. 650—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Read first time, and placed on file for second reading.

Senate Bill No. 619—An Act entitled "An Act to amend section one thousand five hundred and seventy-seven of the Political Code, part three, title three, article five thereof, relating to new school districts."

Read first time, and placed on file for second reading.

Senate Bill No. 328—An Act to amend section two thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.

Read first time, and placed on file for second reading.

Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane to Mendocino Asylum.

Read first time, and placed on file for second reading.

Senate Bill No. 604—An Act to amend section three hundred and

thirty-three of the Political Code, relating to the printing of public reports.

Read first time, and placed on file for second reading.

Senate Bill No. 568—An Act providing for the dissolution of certain corporations doing a banking business.

Read first time, and placed on file for second reading.

Senate Bill No. 198—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 83—An Act to define express companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Read first time, and placed on file for second reading.

Senate Bill No. 589—An Act to add eight new sections to the Political Code, relating to laying out and constructing canals, ditches, and other works.

Read first time, and placed on file for second reading.

Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read first time, and placed on file for second reading.

Senate Bill No. 367—An Act prescribing the qualification of Presidents, Directors, officers, and employes of corporations, and providing a penalty for corporations willfully violating its provisions.

Read first time, and placed on file for second reading.

Senate Bill No. 68—An Act to pay the claim of George Nelson against the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 297—An Act making an appropriation to pay the claim of Santa Clara County against the State of California, for Tax Collectors' commissions on taxes collected and paid to the State.

Read first time, and placed on file for second reading.

Senate Bill No. 634—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia in 1855.

Read first time, and placed on file for second reading.

Senate Bill No. 581—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

Read first time, and placed on file for second reading.

Senate Bill No. 593—An Act to provide for the compensation of the Chief and Captain of Police and police officers in cities in the State of California, containing not less than ten thousand and not exceeding thirty thousand inhabitants.

Read first time, and placed on file for second reading.

Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

Read first time, and placed on file for second reading.

Senate Bill No. 572—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Read first time, and placed on file for second reading.

Senate Bill No. 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Read first time, and placed on file for second reading.

Senate Bill No. 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Read first time, and placed on file for second reading.

Senate Bill No. 656—An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the fund provided for their maintenance, to the University of California.

Read first time, and placed on file for second reading.

Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

Read first time, and placed on file for second reading.

Senate Bill No. 599—An Act providing for primary elections in the State.

Read first time, and placed on file for second reading.

Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Read first time, and placed on file for second reading.

Senator Hart in the chair.

Senate Bill No. 473—An Act to amend section six hundred and fifty-nine of the Code of Civil Procedure of the State of California, relating to motions for new trials.

Read first time, and placed on file for second reading.

Senate Bill No. 588—An Act to amend section three thousand six hundred and sixty-three of the Political Code of the State of California, relating to assessments.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe the Government.

Read first time, and placed on file for second reading.

Senate Bill No. 87—An Act to declare arrangements, contracts, agree-

ments, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 440—An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the presentation of false proofs in support of a claim of a policy of insurance.

Read first time, and placed on file for second reading.

Senate Bill No. 620—An Act to add a new section to the Political Code, to be numbered section three thousand eight hundred and eighteen, in relation to the cancellation of tax sales to the State.

Read first time, and placed on file for second reading.

Senate Bill No. 646—An Act entitled an Act to forbid the manufacture and sale of cigarettes within the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 451—An Act to amend sections one thousand seven hundred and forty-eight, one thousand seven hundred and forty-nine, and one thousand seven hundred and sixty-four of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to guardian and ward.

Read first time, and placed on file for second reading.

Senate Bill No. 474—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating drinks to minors, and relating to the selling and giving intoxicating drinks to minors," approved March 4, 1872, Statutes 1871-72, page 231.

Read first time, and placed on file for second reading.

Senate Bill No. 448—An Act concerning champerty and maintenance, and to punish those guilty thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 649—An Act to amend section one thousand six hundred and sixteen of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons.

Read first time, and placed on file for second reading.

Senate Bill No. 647—An Act entitled an Act to amend section one thousand one hundred and eighty-nine of the Civil Code of the State of California, relating to proof and acknowledgment of instruments.

Read first time, and placed on file for second reading.

Senate Bill No. 505—An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891.

Read first time, and placed on file for second reading.

Senate Bill No. 597—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 502—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

Read first time, and placed on file for second reading.

Hon. J. B. Reddick, President of the Senate, in the chair.

Senate Bill No. 478—An Act to amend section one thousand three

hundred and fifty of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors.

Read first time, and placed on file for second reading.

Senate Bill No. 443—An Act to amend section one thousand two hundred and eighteen of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court and punishment thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 567—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts.

Read first time, and placed on file for second reading.

Senate Bill No. 476—An Act amendatory of chapter three of title four of the Code of Civil Procedure, relative to phonographic reporters.

Read first time, and placed on file for second reading.

Senate Bill No. 664—An Act entitled an Act to amend section seven hundred and four of "An Act to establish a Code of Civil Procedure," relating to the payments in cases of redemption.

Read first time, and placed on file for second reading.

Senate Bill No. 674—An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," passed March 21, 1872, by adding a new section thereto, to be numbered as section four hundred and four, concerning foreign corporations.

Read first time, and placed on file for second reading.

Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Read first time, and placed on file for second reading.

Senate Bill No. 684—An Act entitled an Act to amend section nine hundred and twenty of the Penal Code of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 667—An Act to amend section three hundred and forty-eight of the Code of Civil Procedure, relating to limitations of actions.

Read first time, and placed on file for second reading.

Senate Bill No. 666—An Act to amend sections one thousand two hundred and forty, one thousand two hundred and forty-one, and one thousand two hundred and forty-three of the Civil Code of the State of California, relating to homestead exemptions.

Read first time, and placed on file for second reading.

Senate Bill No. 685—An Act entitled an Act to amend section one thousand two hundred and seventy of the Penal Code of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 675—An Act to amend section four hundred and sixteen of an Act entitled "An Act to establish a Political Code," approved March 7, 1881, relating to fees for services performed in the office of the Secretary of State.

Read first time, and placed on file for second reading.

Senate Bill No. 665—An Act to establish a committee on legislation, advisory to the Legislature.

Read first time, and placed on file for second reading.

Senate Bill No. 680—An Act to amend section one thousand five hundred and thirty-six section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, on assignments for benefit of creditors.

Read first time, and placed on file for second reading.

Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in estates of deceased persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in cases of executions and attachments.

Read first time, and placed on file for second reading.

Senate Bill No. 679—An Act to amend section six hundred and sixteen of the Political Code, relating to insurance companies.

Read first time, and placed on file for second reading.

Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Read first time, and placed on file for second reading.

Senate Bill No. 622—An Act relating to the sale of wines and liquors and the maintenance of saloons and places where wines and liquors are sold.

Read first time, and placed on file for second reading.

Senate Bill No. 661—An Act to amend section three thousand six hundred and ninety-six of the Political Code, relating to the duties of the State Board of Equalization.

Read first time, and placed on file for second reading.

Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane, to Mendocino Asylum.

Read first time, and placed on file for second reading.

Assembly Bill No. 153—An Act to amend section six and section

eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read first time, and placed on file for second reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

By unanimous consent, Senator Ragsdale was granted permission to withdraw Senate Bill No. 313 (No. 82 on file), which had been read the third time, and to have Senate Bill No. 331 placed at the head of the second reading file in consideration thereof.

Senate Bill No. 313 withdrawn.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That a sub-committee of three of the Committee on Commerce and Navigation be and is hereby granted a leave of absence for the purpose of inspecting the wharves, slips, and other State improvements on the harbor front of the city of San Francisco.

Before the roll was called on the adoption of the resolution, Senator Mahoney moved a call of the Senate.

So ordered.

ADJOURNMENT.

At two o'clock and twenty-two minutes P. M., on motion of Senator Goucher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, February 20, 1893. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

NOTICE OF MOTION TO CHANGE RULES.

Senator Ragsdale gave notice that on to-morrow he would move to change Rule VII of the standing rules governing this body.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentation as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Passed on file, the author being absent.

Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Campbell, Denison, Fay, Harp, Hart, Langford, McAllister, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—22.

NOES—Messrs. Earl and Seymour—2.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Orr gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 323 was finally passed on this day.

Senator Voorheis also gave notice that he would on to-morrow move a reconsideration of the vote whereby Senate Bill No. 323 was this day finally passed.

LEAVE OF ABSENCE.

Senator Burke was granted leave of absence for the day.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Passed on file.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file.

Senate Bill No. 133—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887.

Read third time, and final passage refused by the following vote:

AYES—Messrs. Dunn, Fay, Ragsdale, Seawell, Williams, and Wilson—6.

NOES—Messrs. Bailey, Campbell, Carpenter, Earl, Everett, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—21.

NOTICE OF RECONSIDERATION.

Senator Voorheis gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 133 was this day refused final passage.

MOTION.

Senator Carpenter moved that the special order set for to-morrow (Tuesday) at three o'clock and thirty minutes P. M., the consideration of Assembly Concurrent Resolution No. 7, relative to investigating the Railroad Commissioners, be postponed and made the special order for Thursday, February 23, 1893, at three o'clock and thirty minutes P. M.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Goucher: Senate Bill No. 744—An Act for the relief of Agnes Lynch, and to appropriate money therefor.

Referred to Committee on Claims.

THIRD READING OF BILLS—(RESUMED).

Committee Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Passed on file.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Passed on file.

Substitute for Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred and three, relating to liens of mechanics and others.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Fay, Flint, Harp, Hart, Langford, McGowan, Maher, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.
NOES—None.

Title read and approved.

Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled “An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities,” approved March 17, 1885.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Harp, Hart, Langford, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.
NOES—None.

Title read and approved.

Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

Read third time.

Before the vote was announced, Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was ordered to close the doors.

The Secretary announced that the only absentees were Senators Goucher and Mahoney.

Senator Seawell moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Burke, Earl, Langford, Orr, Ostrom, Seawell, Shippee, Streeter, Voorheis, and Wilson—10.

NOES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mitchell, Ragsdale, Seymour, Simpson, Whitehurst, and Williams—22.

MOTION.

At three o'clock and forty-five minutes P. M. Senator Earl moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Harp and Seawell—2.
NOES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

MOTION.

Senator Seawell moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Burke, Earl, Fay, Harp, Hoyt, McAllister, Orr, Ostrom, Seawell, Shippee, Streeter, Voorheis, Whitehurst, and Wilson—15.

NOES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Flint, Hart, McGowan, Maher, Mitchell, Ragsdale, Seymour, Simpson, and Williams—16.

MOTION.

At four o'clock and thirty-eight minutes P. M. Senator Seawell moved to adjourn.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Broderick, Carpenter, Denison, Dunn, Everett, Hart, McGowan, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams, and Wilson—16.

NOES—Messrs. Berry, Burke, Campbell, Earl, Fay, Harp, Hoyt, McAllister, Maher, Mitchell, Ostrom, Seymour, Voorheis, and Whitehurst—13.

ADJOURNMENT.

Whereupon, at four o'clock and forty minutes P. M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 21, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Everett.

CONSIDERATION OF SENATE BILL No. 19—(RESUMED).

Senate Bill No. 19—An Act to amend section one thousand two hundred and forty-three of the Penal Code of the State of California, rela-

tive to the stay of the execution of the judgment in criminal cases, pending an appeal to the Supreme Court.

The question being on the final passage of the bill.

The President ordered a new roll call.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Flint, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mitchell, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—23.

NOES—Messrs. Berry, Burke, Fay, Harp, Orr, Ostrom, Shippee, and Wilson—8.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Seawell gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 19 was finally passed on this day.

MOTION.

Senator Streeter moved that Senate Bill No. 249 (No. 172 on the file) be re-referred to the Committee on Finance, without losing its place on the file.

So ordered.

SPECIAL ORDER—SECOND READING OF BILL.

Substitute for Committee Substitute for Senate Bills Nos. 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Read second time, and ordered to engrossment and to a third reading.

PRESENTATION OF PETITIONS.

Senator Broderick presented the following petition, with the request that it be printed in the Journal.

So ordered.

To the honorable Senate and House of Representatives of the Legislature of the State of California:

GENTLEMEN: The undersigned, citizens of San Francisco, respectfully show to your honorable body that under the present law for the opening and extending of streets in municipalities, the most oppressive and unjust action has been taken.

The following assessments have been levied on our property, for proposed street extensions, within the last year, and an attempt will soon be made to collect them if immediate relief is not rendered by your honorable body, to wit:

| | |
|---|--------------|
| Sixteenth Street Commission | \$343,000 00 |
| Nineteenth to Twenty-third Streets Commission | 160,000 00 |
| Market Street Commission | 400,000 00 |
| Howard Street Commission | 182,000 00 |
| Post Street Commission | 128,000 00 |
| Potrero Avenue Commission | 243,000 00 |
| Twenty-fifth Avenue, New Street, and Twenty-seventh Avenue Commission | 34,000 00 |

The assessment of this vast sum has no element of right or justice, and is as much a pillage as the plundering of a bank by burglars, or the looting of a train by a band of armed robbers.

We have examined the routes of these proposed street extensions, and find it is the unanimous demand of all the property on these projected extensions that further proceedings under the present law be stopped, not only on account of unequal and oppressive assessments, but also of the practical impossibility to open streets on these projected lines.

We therefore respectfully ask your honorable body to immediately repeal the present iniquitous law under which these oppressive impositions have been made, and pass the Act hereto appended, to the end that our property may be saved from confiscation.

Signed by William Thackeray, and two hundred and forty others.

COMMUNICATIONS.

The following communication was read, and ordered printed in the Journal:

I, J. H. C. Bonté, Secretary of the Regents of the University of California, hereby certify that at a meeting of the Board of Regents, held January 24, 1893, the following was adopted:

WHEREAS, There has been presented to the State Senate Bill No. 234, appropriating two hundred and fifty thousand dollars for the erection of buildings in San Francisco, to be used by the several departments and affiliated colleges of the University, which are necessarily located in San Francisco; and whereas, such buildings are necessary to the efficient and economical management of said departments and affiliated colleges of the University of California; now, it is

Resolved, That the State Legislature be and it is hereby respectfully requested to pass said bill, and the Governor is also respectfully requested to approve the same; and it is further

Resolved, That the Secretary of this Board forthwith forward a copy of these resolutions to the Governor, and to the presiding officers of the Senate and Assembly, under the seal of the University.

Given under my hand and seal of the University of California, this twenty-sixth day of January, 1893.

J. H. C. BONTÉ,
Secretary of the Board of Regents.

A communication was received from the San Francisco Bar Association, relating to the present Supreme Court system, and suggesting a change.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 78—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railways may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State—have had the same under consideration, and respectfully report that a similar bill having been referred to the Committee on City, City and County, and Town Governments, and reported favorably by that committee, and passed by the Senate, this committee recommends that the author have leave to withdraw it.

CARPENTER, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred resolution by Senator Carpenter, as follows:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of R. B. Carpenter, Chairman of Committee on Corporations, for the amount of two hundred and fifty-seven dollars and twenty cents (\$257 20), for expenses incurred in the case of "reassessment," and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend said resolution do pass, and that the Controller be directed to draw his warrant in favor of R. B. Carpenter, Chairman of Committee on Corporations, for the amount of two hundred and thirty-five dollars (\$235), for expenses incurred in the examination of the reassessment bill before the Committee on Corporations, said warrant to

be drawn upon the appropriation for the contingent expenses of the Senate. The amount here recommended is twenty-two dollars and twenty cents (\$22 20) less than called for in the resolution, and is reported as above in consequence of L. C. Morehouse, President of the State Board of Equalization, having declined to receive the amount awarded to him of twenty-two dollars and twenty cents (\$22 20) in consequence of his being a public officer and unwilling to take the fees allowed by law.

STREETER, Chairman.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Harp, Hart, Langford, McAllister, Maher, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—26.

NOES—None.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 366—An Act to provide for the publication of public printing, and fixing a legal rate for the same, also designating what a legal newspaper shall be, and what constitutes a legal publication—have had the same under consideration, and respectfully report the same back without recommendation.

STREETER, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 460—An Act to provide for the employment of destitute citizens, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 539—An Act to appropriate money to pay funeral expenses; to furnish tombstones; to sink a well, and make needed repairs in and about the Woman's Relief Corps Home at Evergreen, California—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

Also: Assembly Joint Resolution No. 4—Relative to the free and unlimited coinage of silver.

Also: Senate Bill No. 726—An Act to appropriate money to pay the expense of transporting, insuring, and installing of a California exhibit in the woman's building of the World's Columbian Exposition at Chicago.

Also: Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State of California.

Also: Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Also: Senate Bill No. 741—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 65—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Also: Senate Bill No. 651—An Act to appropriate money to build and furnish a house for the Governor of the State of California.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Also: Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

Also: Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for transportation of prisoners for the forty-fourth fiscal year.

Also: Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for transportation of insane for the forty-fourth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 692—Relating to limiting speed of street railroads in cities and towns of more than one hundred thousand inhabitants.

Also: Senate Bill No. 514—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California, approved March 30, 1874, relating to publication of assessment notices of incorporated companies.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

CARPENTER, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BAILEY, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 657—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Also: Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County," passed March 23, 1876 in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HOYT, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 17, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 662—An Act to promote the practical study of the sciences in the high schools of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee.

Also: Senate Bill No. 124—An Act to amend section six hundred and eighty of the Political Code, in relation to the investment of school funds, and validating bonds purchased therewith.

Also: Senate Bill No. 512—An Act to amend section nine of an Act entitled "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891.

Also: Senate Bill No. 522—An Act to amend section twenty-six of an Act (to amend sections one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, and to repeal sections one thousand six hundred and twenty-five, one thousand six hundred and sixty-nine, of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools, etc.), approved March 20, 1891, relating to the public schools, etc.

Also: Senate Bill No. 616—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and forty-nine, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and

sixty, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and sixty-six, one thousand five hundred and sixty-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and forty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand five hundred and three of the Political Code; to add thereto four new sections, to be known and numbered as sections one thousand six hundred and three, one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high school in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

All relating to public schools, have had the same under consideration, and respectfully report the same back, together with a committee substitute for all of them, and recommend that the committee substitute, herewith transmitted, do pass.

HART, Chairman.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 41—An Act to amend sections three thousand six hundred and thirty-six, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-four, and three thousand seven hundred and eighty-five of the revenue laws of the State of California.

Also: Senate Bill No. 230—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain.

Also: Senate Bill No. 98. An Act to provide for the publication of monthly statements by the Auditor of county indebtedness.

Also: Senate Bill No. 571 - An Act to amend an Act entitled "An Act in relation to fence and pound districts in the county of Sonoma," approved March 2, 1872.

Also: Senate Bill No. 566 - An Act entitled "An Act concerning county government."
Have had the same under consideration, and respectfully report the same back without recommendation.

EARL, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 718 - An Act amending an Act entitled "An Act giving the consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891.

Also: Senate Bill No. 730—An Act granting unto Lake Clear Lake, State of California, that certain body of water situated within the territorial limits of said county known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Also: Senate Bill No. 706—An Act to amend section fifty-nine of the Civil Code of the State of California, relating to marriages.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 739—An Act to amend section six hundred and seventy-two of the Political Code, relating to the Board of Examiners.

Also: Senate Bill No. 700—An Act to provide a method of determining the title to real property in this State by action in rem.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 329—An Act to amend sections two hundred and seventy-two, two hundred and seventy-three, and two hundred and seventy-four of the Code of Civil Procedure of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executors and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Also: Senate Bill No. 740—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to amend section nine hundred and six thereof, relating to grand juries.

Also: Senate Bill No. 738—An Act to amend an Act entitled "An Act giving consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891.

Also: Senate Bill No. 693—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

Also: Senate Bill No. 734—An Act to repeal the Act of March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval."

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County Government and Township Organization.

McGOWAN, Chairman.

Assembly Bill No. 185 re-referred to Committee on County Government and Township Organization.

The following minority report on Assembly Concurrent Resolution No. 7 was presented and ordered printed in the Journal:

MINORITY REPORT OF COMMITTEE TO WHICH WAS REFERRED ASSEMBLY CONCURRENT RESOLUTION No. 7, RELATIVE TO INVESTIGATING THE RAILROAD COMMISSIONERS.

SENATE CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: The undersigned, members of your special committee, to which was referred Assembly Concurrent Resolution No. 7, relative to investigating Railroad Commissioners, and also the resolution of the Senate directing your committee to conduct said investigation, respectfully submit the following report, therein dissenting from the majority of such committee:

1. The only charge against said Railroad Commissioners contained in said Assembly Concurrent Resolution No. 7, is as follows:

"WHEREAS, It is the duty of said Railroad Commissioners, namely, William Beckman, J. M. Litchfield, and J. W. Rea, and has been their duty ever since their said election to such office, to establish rates of charges for the transportation of passengers and freight by railroad or other transportation companies; and whereas, the said Railroad Commissioners have utterly failed and neglected to establish such rates of charges for the transportation of passengers and freight by railroads or other transportation companies, and have been and are guilty of dereliction of duty; now, therefore, be it

"Resolved, That their office be declared vacant," etc.

By resolution of Senator McGowan, duly adopted by the Senate on February 3d, and by the amendment thereto offered by Senator Earl, it was resolved "that the said Commissioners show cause, if any they have, why they and each of them should not be removed from said office of State Railroad Commissioners, for the reasons and upon the grounds set forth in said resolution as amended."

The only charge contained in said resolution against said Commissioners was the failure of said Commissioners to establish rates of charges for the transportation of passengers and freight by railroad and other transportation companies, and that they have been and are guilty of dereliction of duty.

We respectfully submit that the said special committee was called upon only to report upon the charge of dereliction of duty in not establishing rates of freights and fares, and that that being the only matter committed to them by the resolution of the Senate, that any finding by such committee upon any other matter was gratuitous, and without any authority from the Senate.

2. The majority of said special committee have not found or reported to this Senate any fact whatever to support their assumed conclusion that the said Railroad Commissioners, or any of them, have been derelict in the discharge of their duties, or are incompetent, and in our judgment there is nothing in the evidence taken before said committee to warrant any such finding or conclusion.

The facts shown before the committee are as follows:

That the said three Railroad Commissioners were elected in the year 1890 by large majorities, the aggregate of their majorities being greater than that of the Governor, Lieutenant-Governor, Controller, Treasurer, Clerk of the Supreme Court, Board of Equalization, and Congressmen elected at the same election. The majority obtained by each of these gentlemen was nearly equal to the entire vote received by any member of the present Legislature. The necessary foundation of republican government is the result of the ballot. Whoever seeks to destroy that, even though he be a legislator, commits an offense greater than treason in its far-reaching evils. That in our judgment whenever it is sought to set aside the will of the people of the State as expressed at the ballot-box, in the choice of its officers, the evidence to sustain such action on the part of other officers of the people, elected by the very same people, should be sustained by the clearest and most convincing proof. That in our judgment not only is the proof not clear and convincing that these men have been either derelict or incompetent in the discharge of their duties, but that in fact there is no evidence whatever before the committee that they have been either derelict or incompetent.

3. With regard to the action of the present Railroad Commissioners concerning rates of freight and fares, we find the fact to be that prior to their election, and by their predecessors in office, a full and complete schedule of rates of freights and fares had been adopted by the State Board of Railroad Commissioners. That at the time the present term of the present incumbents began, said schedule of rates of freights and fares was in full force and effect, and ever since has so remained in full force and effect, except as modified by the present incumbents of said office.

The evidence further shows that no evidence has ever been offered, nor has any witness ever offered himself to testify before the present Board of Railroad Commissioners, or before this committee, that any rates charged for freights or fares are in excess of those which ought to be charged, or would give to the owners of such railroad companies any exorbitant or unreasonable profits.

The evidence further shows that since the term of the present incumbents began, that all complaints against any transportation company made to said Board of Railroad Commissioners, or any of its members, have been considered and acted upon.

That the method of such procedure has been that when any person, or persons, complained of any rates, that a member, or members, of said Board consulted the proper officers of the transportation company complained against, and sought to adjust the matter without taking any other form of proceeding; that generally the result of such consultations has been an adjustment of the matter complained of to the entire satisfaction of the complaining parties.

That in all instances when an adjustment could not be made in said manner to the satisfaction of the complaining parties, they have had a hearing before the Board, and in every instance but one a judgment or order has been rendered by said Board against the transportation companies.

That for the purpose of ascertaining if there were any complaints, or cause of complaints, with regard to the rates of freights or fares charged by transportation companies, the said Railroad Commissioners have held meetings in the principal localities of the State, which meetings had been previously publicly advertised, where they have cheerfully received and carefully considered all complaints made concerning, or objections to, the existing rates of freights and fares.

It appeared in evidence before this committee upon questions asked by the Chairman, that the said Railroad Commissioners had not fixed rates of freights and fares upon stage lines within the State. If this be the basis upon which the majority of the committee reported that the said Commissioners have been derelict, and are incompetent (and from the form of the report of the majority of the committee, we are unable to determine whether it is or not), then we respectfully submit that there is no evidence before the committee, nor have we any information through the public press, or from any other source, that there is any complaint, or cause of complaint, on that score.

Some evidence was taken before the committee with regard to bookkeeping, and the evidence clearly establishes that there has been established by the Railroad Commission of California a system of bookkeeping to be followed by the railroads of the State, and that such system has been accepted and followed by such railroad companies, except as to the inter-state roads, for which the Interstate Commerce Board has established a system of bookkeeping, which has been pursued as to such roads.

If it be claimed that every new Board coming into office should adopt a new system of bookkeeping for railroad companies, we respectfully submit that such claim is without merit, until it appears that the previous method adopted is not a correct and reasonable system. If it be claimed that every time a new Railroad Commissioner is elected, that an entirely new schedule of freights and fares should be adopted, without

reference to whether the schedule previously adopted by the Board of Railroad Commissioners, and then in force, is just and reasonable enough, we submit that such contention is without foundation in reason or good government.

Finally, we submit as our conclusions that the present members of the State Board of Railroad Commissioners are reasonably competent for the offices which they fill; that they have been reasonably diligent, intelligent, and successful in the discharge of their duties, and that in the evidence taken before the committee there is nothing tending in any degree to establish that the said Commissioners, or either of them, have been derelict in, or are incompetent for, the discharge of the duties of the offices which they hold.

We therefore recommend that Assembly Concurrent Resolution No. 7 be not concurred in.

J. H. MAHONEY.
E. C. SEYMOUR.

MOTION TO RECONSIDER.

Senator Voorheis moved a reconsideration of the vote whereby the Senate this day ordered Substitute for the Substitute for Senate Bills Nos. 157, 372, 373, and 441 to engrossment.

Lost.

SPECIAL ORDER.

Senator Maher called up the special order set for this hour—consideration of Substitute for Senate Bills Nos. 291, 183, and 123.

SECOND READING OF BILL.

Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

The substitute having been adopted on a previous day, and read a second time, as far as section five, the Secretary proceeded with its second reading.

Senator Simpson moved to amend section one, line two, of the amendment, by inserting the following:

After the word "municipality" insert the words "or cities, and cities and counties, containing over fifty thousand inhabitants."

Senator Seawell moved to amend the amendment, as follows:

Amend section one, line two, by inserting after the word "municipality" the words "or cities, and cities and counties, containing over seven thousand five hundred inhabitants."

Lost.

The question then recurring on the amendment offered by Senator Simpson.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Carpenter, Denison, Flint, Hart, McAllister, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—17.

NOES—Messrs. Broderick, Campbell, Dunn, Earl, Fay, Harp, McGowan, Maher, Mahoney, Mitchell, and Wilson—11.

The following committee amendments were submitted:

COMMITTEE AMENDMENT NO. 1.

Amend by striking out section five and inserting the following:

"Sec. 5. At the time specified, or to which the hearing may be adjourned, the City Council shall hear the objections filed, and if the owners of a majority of the frontage on

the portion of the street to be extended and widened, and of the frontage of all lands to be assessed for same, as said notices appear on the first recording of said assessment, and the City of Seattle, by its TAXING COMMISSIONERS, in writing to said taxpayers, explaining, explaining, and where necessary, defining the above-mentioned property, if any, situated on said street, said City of Seattle, said Taxing Commissioners, and all persons, shall be deemed to have accepted of two years, viz., from the date of said recording of aforesaid notices, as a period of time, to be used by a new resolution of the City of Seattle, if the owners of a majority of the lots situated on said street, and on the frontage on all streets within the assessment district, do not in writing protest, within the aforesaid period of time, to the City Council, that they do not have improved jurisdiction to have any of the work to be done on improvements to be made, which is authorized by section one of this Act.

Added

COMMUNIC. AMENOMEN. No. 2

Altogether, 15,817,820 and 8,074,000 S.A. dollars were spent on

That the City of Hartford, in its relation as employer, in carrying out the provisions of the City Charter, shall, in its work, be bound to employ the best and most skillful men, and that no assessment is necessary, shall notify the Assessor, City Engineer and Superintendent of Streets, who shall constitute a Board of Commissioners to be organized, who shall have full supervision of the proposed work of improvement, and that the compensation thereof be in compliance with this statute. For their services they shall each receive, as compensation, five dollars for every day of actual service; provided, that said compensation shall not be paid for a longer term than six months for any one person, and shall extend to the City Engineer, Superintendent of Streets and one assistant thereof, and shall have term of office of said Commissioners for any district until the first day of June, the next. Said compensation shall be added to and be chargeable as a part of the expenses of the work of improvement. Five of said Commissioners shall, with the City Engineer, constitute a board and be bound to the State of California, in the sum of five thousand dollars to faithfully perform the duties of this office, the City Council may at any time remove any or all of said Commissioners, and cause upon reasonable notice of the City Council, to be paid to any Commissioner therein for any cause. At the end of the terms of said Commissioners they shall find and enter all notes and business to the City Council, who shall pay there the same. In all municipalities where there is a Board of Public Works said Board shall constitute the Board of Commissioners in this section provided for, and shall perform the duties of said Commissioners, and their salaries as members of the Board of Public Works shall be their compensation for such services. It shall be the official duty of the City Attorney to render said Commissioners all necessary legal services, and that the City Superintendent shall pay work or services which he may perform by the direction of the Commission, or of other responsible department of the City Government. Receive in addition, he his salary as provided by law, all sums which he may have paid out or expended in the prosecution of said work for material or labor necessarily thereby by him employed.

Adopted

COMMITTEE AMENDMENT No. 3

Amended by striking out sections 1, 4 and 5 and inserting the following:

SECTION 5. All such materials and expenses shall be paid out of the expenses of said work and improvement and be paid only upon the bills drawn for the particular work to be performed and upon the receipts therefor. All payment shall be for the said and improvement and for the materials and for the charges and expenses shall be paid by the City of St. Louis, Missouri, within a reasonable period of time after the bills drawn by said contractor are received by the City of St. Louis, Missouri. All such work shall be done in such a manner that they are not likely to be subject to charges and expenses and that the amount of such payment and of the charges and expenses shall be paid by the City of St. Louis, Missouri, within a reasonable period of time after the bills drawn by said contractor are received by the City of St. Louis, Missouri. All such work shall be done in such a manner that they are not likely to be subject to charges and expenses and that the amount of such payment and of the charges and expenses shall be paid by the City of St. Louis, Missouri, within a reasonable period of time after the bills drawn by said contractor are received by the City of St. Louis, Missouri.

Adopted.

COMM. 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845,

As a result, the following conditions are satisfied:

[illegible]

and fifty feet, and said lands shall be assessed with reference to the amount of grading to be done and their location on the grades of said street or improvements; and the expenses of grading said lots or lands, whether filling or cutting, which shall be necessary to place them on the grade of said street or improvement, shall be estimated in determining the value of the land and the damage to the improvements and property affected.

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend by striking out section twenty-one, and inserting in lieu thereof section twenty-two as it now stands, and numbering the same twenty-one.

Adopted.

COMMITTEE AMENDMENT No. 6.

Amend by inserting a new section, to be known as section twenty-two:

"SEC. 22. The Mayor, Tax Collector, and City, or City and County Attorney, as the case may be, of all municipalities wherein there is existing at the passage of this Act any Commission appointed for the opening, extending, or widening of streets, under the provision of said Act of March 6, 1889, and which Commission is not within the proviso of section twenty-three of this Act, are hereby constituted a Board of Audit, whose duty it shall be, upon petition of said Commission, to carefully examine all the accounts, bills, and expenditures made or contracted for by said Commission, including the salaries of the said Commissioners, and said Board of Audit, or a majority of its members, is hereby authorized to audit and allow such amounts as it shall find to be just and reasonable, and report said amounts, with the items thereof, and to whom payable, to the City Council. Said report shall be final and conclusive as to said amounts. The City Council is authorized to pass, and allow, and order paid to each of the persons entitled thereto, the amounts so found to be due, in the same manner as claims and demands against such municipality are passed, allowed, and ordered paid. The payment of said amounts shall be provided for in the tax levy next thereafter made by said City Council, and when said taxes are collected, the said amounts shall be paid out of the General Fund of said municipality, in the same manner as other claims and demands are paid."

Adopted.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

COMMUNICATION.

The following communication was read:

HOUSE OF REPRESENTATIVES, U. S., }
WASHINGTON, D. C., February 14, 1893. }

President of the Senate, Sacramento, California:

DEAR SIR: I have the honor to own receipt of a copy of Senate Joint Resolution No. 15, relating to the construction of a deep-water harbor at San Pedro, California. I will present the resolutions to the House of Representatives and have them referred to proper committee. Should the resolutions be reported back to the House with favorable recommendation, I will do all in my power to secure legislation asked for.

Very respectfully,

JOHN T. CUTTING.

CONSIDERATION OF SUBSTITUTE FOR SENATE BILLS Nos. 291, 183, AND 123—
(RESUMED).

The following committee amendment was submitted:

COMMITTEE AMENDMENT No. 7.

Amend by striking out section twenty-three and inserting the following:

"SEC. 23. The Act approved March 6, 1889, entitled 'An Act for opening, widening, and extending streets,' etc., is hereby repealed, and all the proceedings thereunder are hereby declared to be void and of no effect; *provided, however,* that the present City Council or other governing body of any municipality, shall have power, by a three-fourths vote of its members, to extend the life of any existing Commission until its work shall have been completed, as in said Act provided; but in all other cases the assessments, plats, and reports filed by said Commissioners are declared to be null and void, and all the laws authorizing their collection are hereby repealed, and all moneys collected under the provisions of said Act shall be refunded to the persons from whom the same were collected, in the same manner as taxes which have been twice collected, and the said Commissioners are hereby removed from office; *provided further, however,* that in case of the lands necessary to widen or open any street, there shall have been actually purchased and conveyed to the municipality, under the provisions of said Act of March 6, 1889, more than one half of the land necessary for said improvements, as shown by the report and plat on file, then said streets and the improvement thereof shall not be affected by this Act, but the same shall be completed as commenced."

Senator Burke offered the following amendment to the amendment:

Amend the amendment by striking out of section twenty-three, line —, all the words "in said section," and inserting the following:

"The Act approved March 6, 1891, entitled 'An Act for opening, widening, and extending streets,' etc., after the passage of this Act, shall not apply to any city, or city and county, having a population of fifty thousand inhabitants or over, but said cities, and cities and counties, shall be subject only to the provisions of this Act in all matters embraced within the purview of this Act; *provided, however,* that the present City Council or other governing body of any municipality of fifty thousand inhabitants or over, shall have power, by a three-fourths vote of its members, to extend the life of any existing Commission until its work shall have been completed as in said Act provided; but in all other cases in cities, or cities and counties, of fifty thousand inhabitants or over, the assessments, plats, and reports filed by said Commissioners are declared to be null and void, and all the laws authorizing their collection are hereby repealed, and all moneys collected under the provisions of said Act shall be refunded to the persons from whom the same were collected, in the same manner as taxes which have been twice collected, and the said Commissioners are hereby removed from office; *provided further, however,* that in case of the lands necessary to widen or open any street there shall have been actually purchased and conveyed to the municipality, under the provisions of said Act of March 6, 1889, more than one half of the lands necessary for said improvements, as shown by the report and plat on file, then said streets and the improvement thereof shall not be affected by this Act, but the same shall be completed as commenced."

The roll was called on the adoption of the amendment to the amendment, and the same was adopted by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Denison, Flint, Hart, Langford, McAllister, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—16.

NOES—Messrs. Broderick, Dunn, Earl, Fay, Harp, Hoyt, Maher, Mahoney, Mitchell, Seawell, and Williams—11.

The amendment as amended was then adopted.

The following committee amendment to the title was submitted:

COMMITTEE AMENDMENT No. 8.

Amend line two of the title by adding after the word "straightening" in the title the following words: "diverging, curving, contracting."

Adopted.

Senator Burke moved to amend the title as follows:

Amend by inserting in the title of said Act, after the word "municipalities," the following: "of cities, and cities and counties of fifty thousand inhabitants or over."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senator Burke moved that Substitute for Senate Bills Nos. 291, 183, and 123 be made a special order for Thursday next, immediately after reading the Journal.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventeenth day of February, passed Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-1893.

Also: Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 416 referred to Committee on Public Printing.

Assembly Bill No. 403 referred to Committee on Commerce and Navigation, on motion of Senator Maher.

Senate Bill No. 364 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-one, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, one thousand six hundred and eighteen; and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, one thousand five hundred and fifty-six; and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five

hundred and ninety-two, one thousand five hundred and ninety-seven and one half, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Also: Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and eighty-nine; and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of persons and estates of minors and incompetents.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of February, passed Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

GEO. W. PECKHAM, Chief Clerk.
By ED. J. PRINGLE, JR., Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered transmitted immediately to the Senate, Assembly Joint Resolution No. 26—Relative to the mining and river interests of the State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of February, adopted Senate Concurrent Resolution No. 5—Relative to Golden Gate Park Commissioners.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bills Nos. 82 and 83 referred to Committee on Judiciary.

Assembly Bill No. 296 referred to Committee on City, City and County, and Town Governments.

Assembly Joint Resolution No. 26 referred to Committee on Federal Relations.

Senate Concurrent Resolution No. 5 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of February, passed Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Also: Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Also: Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Also: Assembly Bill No. 265—An Act to provide for the payment of the claim of C. C. Rochford.

Also: Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and cheese, and to appropriate money for its enforcement.

Also: Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 276 referred to Committee on Judiciary.

Assembly Bill No. 298 referred to Committee on Banks and Banking.

Assembly Bills Nos. 277 and 90 referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Assembly Bill No. 117 referred to Committee on City, City and County, and Town Governments.

SUBSTITUTION.

Senator Goucher moved to substitute on file Assembly Bill No. 265 for Senate Bill No. 408 (No. 250 on file), the bills being identical.

So ordered.

By unanimous consent, Senator Goucher withdrew Senate Bill No. 408.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighteenth day of February, passed Assembly Bill No. 2—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

GEO. W. PECKHAM, Chief Clerk.

By ED. J. PRINGLE, JR., Assistant Clerk.

SUBSTITUTION.

Senator Ragsdale was granted unanimous consent to withdraw Senate Bill No. 135 (No. 33 on file), and to substitute therefor Assembly Bill No. 2, they being identical bills.

The history of Senate Bill No. 135 is as follows: Bill read first time.

Senate Bill No. 135 withdrawn, and Assembly Bill No. 2 substituted therefor on file.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of February, amended and passed as amended Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor.

GEO. W. PECKHAM, Chief Clerk.

By JOHN T. RYAN, Assistant Clerk.

MOTION.

Senator Ragsdale moved that the Senate concur in the amendments of the Assembly to Senate Bill No. 177, as follows:

Amend the title to read as follows:

An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, to furnish the same, and to improve the grounds, and to appropriate money therefor.

Amendment concurred in.

Also:

Amend section one by striking out in line one of the printed bill the words "one hundred and nineteen thousand four hundred and fifty," and insert in lieu thereof the words "ninety-eight thousand."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Also:

In section one, line five, of the printed bill, after the word "institution," and before the word "one," insert the following: "and to furnish the same and to improve the grounds."

Amendment concurred in.

Senate Bill No. 177 ordered reëngrossed as amended and to enrollment.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighteenth day of February, amended and passed as amended Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Lone, and for furnishing and equipping the same.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

MOTION.

Senator Voorheis moved that the Senate concur in the following amendment of the Assembly to Senate Bill No. 132:

Amend by striking out in section one, line one, of printed bill, the words "two hundred and twenty-five," and inserting in lieu thereof the words "one hundred and forty-five."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Senate Bill No. 132 ordered reëngrossed as amended and to enrollment.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of February, passed Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same, and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

SUBSTITUTION.

Senator Hart was granted unanimous consent to withdraw Senate Bill No. 650 (No. 333 on file), and to substitute therefor Assembly Bill No. 700, they being identical bills.

The history of Senate Bill No. 650 is as follows: Bill read first time. Senate Bill No. 650 withdrawn, and Assembly Bill No. 700 substituted therefor on file.

SPECIAL FILE OF ASSEMBLY BILLS—SECOND READING OF BILLS.

Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Read second time, and ordered to a third reading.

Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Read second time, and ordered to a third reading.

Assembly Bill No. 1—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-second fiscal year.

Read second time, and ordered to a third reading.

Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

Read second time, and ordered to a third reading.

Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Read second time, and ordered to a third reading.

Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for completing and furnishing the Training Department building of the State Normal School at San José, California.

Read second time, and ordered to a third reading.

Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

Read second time, and ordered to a third reading.

Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General, in transcribing records and plat books in his office.

Read second time, and ordered to a third reading.

Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Read second time, and ordered to a third reading.

Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and

management of the same, and to make an appropriation therefor," approved March 11, 1889.

Read second time, and ordered to a third reading.

Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State, for the forty-second and the forty-third fiscal years.

Read second time, and ordered to a third reading.

Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Read second time, and ordered to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 60—An Act amending section one thousand two hundred and seven of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Read third time.

The roll was called on the final passage of Assembly Bill No. 60, with the following result:

AYES—Messrs. Berry, Broderick, Denison, Dunn, Earl, Hart, Hoyt, McAllister, Maher, Ragsdale, Simpson, and Williams—12.

NOES—Messrs. Carpenter, Orr, and Shippee—3.

RECESS.

Whereupon, at two o'clock and thirty minutes p. m., the President stated that it appearing from the roll call that no quorum was present and voting, a recess was declared for fifteen minutes.

REASSEMBLED.

At two o'clock and forty-five minutes p. m. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

The question being on the final passage of Assembly Bill No. 60.

The President ordered a new roll call.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Broderick, Campbell, Denison, Earl, Flint, Hart, Hoyt, Langford, McAllister, Ostrom, Seawell, Whitehurst, Williams, and Wilson—14.

NOES—Messrs. Burke, Carpenter, Dunn, Fay, Harp, McGowan, Maher, Mitchell, Orr, Seymour, Shippee, Simpson, and Voorheis—13.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane to Mendocino Asylum.

Senator Seawell moved to amend, as follows:

By inserting before the word "the" in line one, at the beginning of the line, "section one."

Adopted.

Bill read second time, ordered to print as amended and to a third reading.

Assembly Bill No. 287—An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883.

Read second time, and ordered to a third reading.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

The following committee amendment was submitted:

Amend by adding a new subdivision, to read as follows:

"Sixteenth—Neat cattle, horses, mules, swine, and sheep, and the increase thereof."

Adopted.

Bill read second time, ordered to print as amended and to a third reading.

Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read second time, and ordered to a third reading.

Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller and payments into the State Treasury.

Read second time, and ordered to a third reading.

Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Read second time, and ordered to a third reading.

Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Read second time, and ordered to a third reading.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Read second time, and ordered to a third reading.

Assembly Bill No. 31—An Act to amend section one hundred and fifty-nine and one half of the Penal Code, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Read second time, and ordered to a third reading.

Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Read second time, and ordered to a third reading.

Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Read second time, and ordered to a third reading.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read second time, and ordered to a third reading.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Read second time, and ordered to a third reading.

RESOLUTION.

By Senator McGowan:

Resolved, That the provision of the Constitution relative to the time in which bills may be introduced be and the same is hereby suspended, and permission is hereby granted to introduce the following numbered Senate Bills and Constitutional Amendments, to wit: Nos. 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, and Senate Constitutional Amendments Nos. 19, 20, and 21.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Broderick, Campbell, Carpenter, Dunn, Earl, Fay, Flint, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator McAllister: Senate Bill No. 745—An Act to add a new section to chapter twelve of title eleven of part three of the Code of Civil Procedure of California, to be designated and known as section one thousand seven hundred and twenty-four, and relating to the giving of notice of proceedings in the matter of estates and guardianships.

Referred to Committee on Judiciary.

Also: Senate Bill No. 746—An Act requiring all State institutions to give preference to California products, and the productions of California labor.

Referred to Committee on Labor and Capital.

By Senator Carpenter: Senate Bill No. 747—An Act concerning the duties of Assessors and Treasurers.

Referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Referred to Committee on City, City and County, and Town Governments.

By Senator Dunn: Senate Bill No. 749—An Act entitled an Act to amend sections three thousand seven hundred and forty-six, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, and three thousand seven hundred and sixty-four of the Political Code, relating to the collection of property taxes.

Referred to Committee on Judiciary.

By Senator Hoyt: Senate Bill No. 750—An Act authorizing Boards of Trustees or other legislative authorities of municipal corporations owning public waterworks to fix rates for water furnished, and to enforce payment of the same.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 751—An Act to amend section four thousand one hundred and four of the Political Code of the State of California, relating to officers of a township.

Referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 752—An Act to provide for the appointment of three additional deputies by County Recorders of cities and counties of more than one hundred thousand population.

Referred to Committee on City, City and County, and Town Governments.

Also: Senate Bill No. 753—An Act entitled an Act to enable persons who have expended money for the transportation of convict or insane persons to recover the same.

Referred to Committee on Judiciary.

By Senator Seawell: Senate Bill No. 754—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Referred to Committee on County Government and Township Organization.

By Senator Ostrom: Senate Bill No. 755—An Act to increase the revenue by the taxation of incomes.

Referred to Committee on Judiciary.

Also: Senate Bill No. 756—An Act relating to surveys of cities, towns, villages, and additions thereto, and providing for recording of maps and plats of such surveys.

Referred to Committee on City, City and County, and Town Governments.

By Senator Langford: Senate Bill No. 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Referred to Committee on Judiciary.

By Senator Maher: Senate Bill No. 758—An Act to enable the State of California to purchase the right to make, use, and vend a patented improvement in a composition for protecting piles.

Referred to Committee on Finance.

By Senator Flint: Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Referred to Committee on City, City and County, and Town Governments.

By Senator Voorheis: Senate Bill No. 760—An Act to provide for the erection and construction of offices, rooms, and apartments in the general ferry and passenger depot now under course of construction at or near the foot of Market Street, in the City and County of San Francisco, for the accommodation of certain persons, officers, and commissions of the State of California now having their offices and quarters in said City and County of San Francisco, and making an appropriation to carry out the provisions of this Act.

Referred to Committee on Finance.

By Senator Broderick: Senate Bill No. 761—An Act to provide for the purchase of statuary, to be placed in the niches of the rotunda of the State Capitol, on the first floor, and to appropriate money therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 762—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Referred to Committee on Judiciary.

Also (by request): Senate Bill No. 763—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California at the World's Columbian Exposition at Chicago, and appropriating money therefor.

Referred to Committee on Finance.

Also: Senate Bill No. 764—A proposed fee bill for counties of the thirty-eighth class.

On motion of Senator Voorheis, Senate Bill No. 764 was ordered referred to the Committee on County Government and Township Organization, without being printed.

By Senator McGowan: Senate Bill No. 765—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable."

Referred to Committee on Commerce and Navigation.

By Senator Earl (by request): Senate Bill No. 766—An Act to appropriate the sum of five thousand dollars for the support and maintenance of "Christ's Rescue Home."

Referred to Committee on Finance.

Also: Senate Bill No. 767—An Act to amend section two thousand and fifty-one of "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the impeachment of a witness.

Referred to Committee on Judiciary.

By Senator Hart: Senate Bill No. 768—An Act to provide for the furnishing of a residence for the Governor of California, and to appropriate money therefor.

Referred to Committee on Finance.

By Senator Carpenter: Senate Bill No. 769—An Act to amend sections four hundred and nine and four hundred and ten of the Political Code.

Referred to Committee on Education and Public Morals.

Also: Senate Bill No. 770—An Act to provide for the redemption of lands sold for any State, county, municipal, irrigation district, or other district tax or assessment.

Referred to Committee on Irrigation and Water Rights.

Also: Senate Bill No. 771—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the publication of lists of delinquent State and county taxes.

Referred to Committee on Judiciary.

Also: Senate Bill No. 772—An Act for the relief of Robert B. Young for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders, at Whittier, and to make an appropriation for the same.

Referred to Committee on Claims.

Also: Senate Bill No. 773—An Act to amend subdivision fourteen of section twenty-five of an Act entitled "An Act to amend sections thirteen, sixteen, twenty-five, fifty-seven, seventy, seventy-one, one hundred and forty-seven, one hundred and sixty-two, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-five, one hundred and ninety-six, two hundred and one, two hundred and two, two hundred and three, two hundred and six, two hundred and nine, two hundred and eleven, and two hundred and twenty-five of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 14, 1883, as amended March 14, 1885, March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered one hundred and eighty-eight and one half and two hundred and one and one half, and to create two new classes of counties of the twenty-sixth and one half and of the thirty-ninth and one half class, relating to the government of counties, and to repeal section one hundred and ten and one half of said Act," approved March 16, 1889.

Referred to Committee on Judiciary.

SENATE CONSTITUTIONAL AMENDMENTS.

The following Senate Constitutional Amendments were introduced, and referred to committees, as follows:

By Senator Berry: Senate Constitutional Amendment No. 19—An Act to amend section one, article thirteen, of the Constitution.

Referred to Committee on Constitutional Amendments.

By Senator Hart: Senate Constitutional Amendment No. 20—An Act to submit to the people of the State of California an amendment to section twenty-three of article four of the Constitution of the State of California.

Referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 21—An Act to submit to the people of the State of California an amendment to section two of article four of the Constitution of the State of California.

Referred to Committee on Judiciary.

RESOLUTION.

Senator Ragsdale, in accordance with notice given yesterday to change Rule VII, offered the following resolution:

Resolved, That Rule VII be amended to read as follows:

"The general file shall be the special order for each day from seven o'clock and thirty minutes P. M. to nine o'clock P. M., unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—29.

NOES—None.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 49—An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party.

Also: Senate Bill No. 93—An Act to amend sections two and five of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889.

Also: Senate Bill No. 267—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889.

Also: Senate Bill No. 346—An Act to provide a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds.

RAGSDALE, Chairman.

MOTIONS.

Senator Orr, in compliance with notice given by him yesterday for the reconsideration of the vote whereby Senate Bill No. 323 was finally passed, moved that said reconsideration be made a special order for Thursday next, immediately after the reading of the Journal.

So ordered.

Senator Voorheis, in compliance with his notice of yesterday for a reconsideration of the vote whereby Senate Bill No. 133 was refused final passage, moved that the reconsideration of the vote be made a special order for Thursday next, immediately after the reading of the Journal.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Senator Capenter:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of R. B. Carpenter, the Chairman of the Committee on Corporations, for the amount of one hundred and twenty-five dollars (\$125), for expenses incurred in the case of "reassessment," and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate, for services of W. E. Doan, as shorthand reporter in taking and transcribing testimony taken before Committee on Corporations during consideration of Assembly Bill No. 10:

| | |
|---|----------|
| To seven days per diem, at \$10 | \$70 00 |
| To transcript, 440 folios, at 10 cents..... | 44 00 |
| To copies of substitute bills for members of Committee on Corporations..... | 11 00 |
| Total | \$125 00 |

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Seymour:

State of California, to Luke Kavanagh, Dr.:

To reporting and transcribing testimony taken before the Committee on State Prisons and Prison Buildings:

| | |
|--------------------------------------|---------|
| Three hundred and sixty folios | \$72 00 |
| Three per diems..... | 30 00 |

| | |
|-------------|----------|
| Total | \$102 00 |
|-------------|----------|

Resolved, That Luke Kavanagh be and he is hereby allowed the sum of one hundred and two dollars for services as shorthand reporter to Committee on State Prisons and Prison Buildings, and the Controller is hereby directed to draw his warrant for said sum, to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RECONSIDERATION.

On motion of Senator Flint, the Senate reconsidered the vote whereby Assembly Bill No. 403 was referred to the Committee on Commerce and Navigation, and thereupon referred said bill to Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game.

RECESS.

At four o'clock P. M., on motion of Senator Voorheis, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentation as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Campbell, Carpenter, Dunn, Earl, Fay, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—24.
NOES—None.

Title read and approved.

Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Earl, Fay, Harp, Hoyt, Langford, McAllister, McGowan, Mahoney, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—24.
NOES—Mr. Dunn—1.

Title read and approved.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file.

Committee Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Passed on file.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Passed on file.

Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor.

Read third time.

MOTION.

Senator Voorheis moved that the bill be recommitted to Senator Carpenter, as a committee of one, to amend as follows:

By striking out all of section four, and renumber section five section four.

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 332, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

CARPENTER, Committee.

Report of special committee of one adopted.

Bill ordered to print and reëngrossment and to third reading.

SECOND READING OF BILLS.

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Senator Ostrom moved to amend as follows:

By striking out of section one, line one, the words "ten thousand," and inserting in lieu thereof the following: "five thousand."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Senator Carpenter moved to amend as follows:

By striking out of section two, line thirteen, printed bill, the words "the amount allowed by law to Sheriffs for sale of property on execution," and inserting the following in lieu thereof: "the sum of ten dollars."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 163—An Act to amend sections two thousand nine hundred and fifty-five and two thousand nine hundred and fifty-six of the Civil Code, in relation to mortgages of personal property.

Senator McAllister was granted unanimous consent to withdraw Senate Bill No. 163 (No. 79 on file), and to substitute therefor Senate Bill No. 463.

Senate Bill No. 163 withdrawn.

Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Committee amendment, as follows, submitted:

Amend by inserting the words "authorized and" on the second line of section one of said Act, before the word "directed," and by substituting for the word "two" on said line the word "four."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 136—An Act to amend section five hundred and

thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Passed on file, at request of author, to retain its place.

Senate Bill No. 3—An Act establishing a commission for the revision of the laws.

Re-referred to Committee on Finance.

Senate Bill No. 138—An Act relating to interest and usury.

Passed on file, at request of author, to retain its place.

Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Read second time, and ordered to engrossment and to a third reading.

LEAVE OF ABSENCE.

At the request of Senator Voorheis, the Committee on Finance was granted a leave of absence for the remainder of the evening.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 60—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, and to renumber said section, relating to defrauding proprietors or managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Committee amendment, as follows, submitted:

Amend by striking out all of section two of the Act.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 287—An Act to regulate the trial of actions for a divorce.

Committee amendment, as follows, submitted:

Amend the title of the Act so as to read as follows: "An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorcees."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia.

Senator Carpenter moved to amend by striking out section four.

Lost.

Bill read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 358—An Act to amend an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

The following committee substitute was read and adopted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 358.

An Act to regulate the sale of imitation olive oil, and to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. That for the purpose of this Act every article, substance, or compound, or oil other than that extracted solely from the fruit of the olive tree, made in the semblance of olive oil extracted solely from the fruit of the olive tree, is hereby declared to be imitation olive oil.

SEC. 2. Each person who manufactures imitation olive oil shall place upon every bottle, can, or other vessel containing such imitation oil, a label, with the words "Imitation Olive Oil" printed thereon in capital letters, in a clear and durable manner, in the English language, in plain type designated and known as twenty-four point letter type (two-line pica) of a Gothic face; said label shall also state plainly the name and address of the manufacturer or compounder, the name and place where manufactured and put up, and also the names and actual percentages of the different ingredients contained in each bottle, can, or vessel.

SEC. 3. No person, by himself or another, shall knowingly ship, consign, or forward by any common carrier, whether public or private, any imitation olive oil, unless the same be marked as provided in section two of this Act, and no carrier shall knowingly receive for the purpose of forwarding or transporting any imitation olive oil, unless it shall be marked as hereinbefore provided, consigned, and by the carrier receipted for, as imitation olive oil; *provided*, that this Act shall not apply to any goods in transit between foreign countries and across the State of California.

SEC. 4. No person shall knowingly have in his possession, or under his control, any imitation olive oil, unless the bottle, can, or vessel, or other package containing the same, be clearly marked, as provided in section two of this Act.

SEC. 5. No person, by himself or another, shall knowingly sell, or offer for sale, imitation olive oil under the name of, or under the pretense that the same is, pure olive oil; and no person, by himself or another, shall knowingly sell any imitation olive oil, unless he shall inform the purchaser at the time of sale that the same is imitation olive oil, and shall deliver to the purchaser at the time of sale a statement clearly printed in the English language, which shall refer to the article sold, and which shall contain, in plain type, designated and known as twenty-four point letter type (two-line pica), of a Gothic face, in capital letters, the words "Imitation Olive Oil," and shall give the name and place of business of the manufacturer or compounder.

SEC. 6. Every person having possession or control of any imitation olive oil, which is not marked as required by the provisions of this Act, shall be presumed to have known during the time of such possession or control that the same was imitation olive oil.

SEC. 7. No person shall expose for sale any oil bearing the semblance of olive oil, manufactured out of the State, and represent that it is manufactured in this State, or shall offer for sale any such oil upon the receptacle of which is any cut, design, or mark intended to convey the belief that such is manufactured in this State.

SEC. 8. Whoever shall violate any of the provisions or sections of this Act shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than thirty days nor more than six months, or by both fine and imprisonment as the Court may direct.

SEC. 9. It shall be the duty of the State Board of Horticulture and the State Analyst to enforce the provisions of this Act.

SEC. 10. An Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891, is hereby repealed.

Senator McGowan moved to amend, as follows:

After the enacting clause insert the following:

"SECTION 1. Section one of said Act is hereby amended to read as follows."

Adopted.

Read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 230—An Act to reinstate and reenact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Read second time, and on motion of Senator Seymour, passed on file, to retain its place, and be open to amendment.

Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and

ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Passed on file, in the absence of the author.

Senate Bill No. 75—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Committee amendments, as follows, submitted:

In line twenty-one of printed report, after the word "shares," insert "said affidavit should be filed, and kept by the Secretary of such corporation."

Adopted.

Also: In line forty of printed report, after the word "imprisonment," insert "and any person making a false affidavit as to membership shall be guilty of perjury."

Adopted.

Senator Maher moved to amend as follows:

By inserting in line eighteen, after the word "seven," "being not less than a majority of the subscribed capital stock."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senator Seymour called up for consideration Senate Bill No. 230.

Senator McGowan moved to amend as follows:

By striking out of the title the following words: "reinstate and reenact," and inserting in lieu thereof the following: "amend."

Adopted.

Also:

By striking out of section one, line one, the word "restored," and inserting the following: "hereby."

Adopted.

Also:

By striking out of section one, line two, the words "to read as follows," and inserting in lieu thereof the following: "amended to read as follows."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 64—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 165—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Read second time, and ordered to engrossment and to a third reading.

Senator McGowan in the chair.

Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations, and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Senator Orr moved to amend as follows:

In section one, line eight, and also in line twenty-one, after word "the" and before words "capital stock," insert the word "subscribed."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

REPORTS OF STANDING COMMITTEES.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 701—An Act to create a State Advisory Highway Committee—have had the same under consideration, and respectfully report the same back without recommendation.

ORR, Chairman.

SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 642—An Act relative to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Also: Senate Bill No. 686—An Act to amend section three thousand and five of the Political Code, in relation to Boards of Health.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 422—An Act relating to the publication of legal notices.

Also: Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Also: Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Also: Senate Bill No. 586—An Act entitled an Act concerning municipal corporations.

Have had the same under consideration, and respectfully report the same back without recommendation.

MAHER, Chairman.

SUBSTITUTION.

Senator Streeter moved to substitute Assembly Bill No. 416 for Senate Bill No. 433 (No. 121 on file).

So ordered.

Senator Seawell withdrew his notice of motion to reconsider the vote whereby Senate Bill No. 19 was to-day finally passed.

ADJOURNMENT.

At nine o'clock and twenty minutes p. m., on motion of Senator Maher, the Senate adjourned until Thursday, February 23, 1893, at ten o'clock A. M.

IN SENATE.

SENATE CHAMBER,
Thursday, February 23, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Dunn.

Assembly Bill No. 90 re-referred to Committee on Finance.

Senate Bill No. 653 re-referred to Committee on Judiciary.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier—have considered the same, and recommend that the accompanying committee substitute do pass.

VOORHEIS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

Senate Bill No. 326 re-referred to Committee on Finance.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 736—An Act to prevent the compulsory prostitution of women—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HART, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of February, adopted Assembly Constitutional Amendment No. 12—Relative to land ownership.

Also: Senate Constitutional Amendment No. 14—Relating to the formation of new counties.

GEO. W. PECKHAM, Chief Clerk.

By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of February, passed Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

GEO. W. PECKHAM, Chief Clerk.

By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Also: Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all mines operated in the State of California, and for the protection of miners.

GEO. W. PECKHAM, Chief Clerk.

By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of February, respectfully refused to pass Senate Bill No. 47—An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of the State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Constitutional Amendment No. 12 referred to Committee on Constitutional Amendments.

Senate Constitutional Amendment No. 14 ordered to enrollment.

Assembly Bill No. 720 referred to Committee on Judiciary.

Senate Bills Nos. 9 and 134 ordered to enrollment.

LEAVE OF ABSENCE.

Senator Bailey was granted a leave of absence until three o'clock and thirty minutes P. M.

On motion of Senator Shippee, Senator Everett was granted a temporary leave of absence on account of sickness.

Senator Carpenter was granted a leave of absence until three o'clock and thirty minutes P. M.

SPECIAL FILE—SECOND READING OF BILL.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Read second time, and ordered to engrossment and to a third reading.

THIRD READING OF BILLS.

Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Goucher, Harp, Hart, Langford, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—26.

NOES—None.

Title read and approved.

Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders for the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Denison, Dunn, Earl, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—26.
NOES—None.

Title read and approved.

Senate Bill No. 582—An Act making an appropriation to pay the deficiency in the appropriation for restoration and preservation of fish in the waters of the State for the forty-second and forty-third fiscal years.

SUBSTITUTION OF BILL.

Senator Flint was granted unanimous consent to withdraw Senate Bill No. 582 (No. 5 on file), and to substitute therefor Assembly Bill No. 634, they being identical bills.

The history of Senate Bill No. 582 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 582 withdrawn and Assembly Bill No. 634 substituted therefor on file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Denison, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—25.
NOES—None.

Title read and approved.

Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders for the forty-third fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Denison, Dunn, Fay, Flint, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—21.
NOES—None.

Title read and approved.

Senate Bill No. 583—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for forty-second and forty-third fiscal years.

SUBSTITUTION OF BILL.

Senator Flint was granted unanimous consent to withdraw Senate Bill No. 583 (No. 8 on file), and to substitute therefor Assembly Bill No. 635, they being identical bills.

The history of Senate Bill No. 583 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 583 withdrawn, and Assembly Bill No. 635 substituted therefor on file.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 635—An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Denison, Dunn, Fay, Flint, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—24.

NOES—None.

Title read and approved.

Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Denison, Fay, Flint, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—22.

NOES—Mr. Wilson—1.

Title read and approved.

Substitute for Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Earl, Fay, Flint, Goucher, Harp, Hoyt, Langford, McAllister, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—22.

NOES—None.

Title read and approved.

Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Earl, Fay, Flint, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Whitehurst, Williams, and Wilson—22.

NOES—None.

Title read and approved.

Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 320—An Act making an appropriation for the construction of a sewer for the State Insane Asylum at Agnews, and to provide for the expenditure of the same.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Earl, Fay, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—23.

NOES—None.

Title read and approved.

Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, Maher, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—24.

NOES—None.

Title read and approved.

Senate Bill No. 107—An Act to appropriate money for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Burke, Denison, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—25.

NOES—Mr. Wilson—1.

Title read and approved.

Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Denison, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Denison, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, Maher, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Campbell, Denison, Dunn, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Campbell, Denison, Earl, Fay, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—24.

NOES—None.

Title read and approved.

Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds, and to make an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Denison, Earl, Flint, Goucher, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—22.

NOES—Messrs. Burke, Campbell, Dunn, Fay, Harp, McAllister, Mitchell, and Wilson—8.

Title read and approved.

Senate Bill No. 224—An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Campbell, Denison, Earl, Fay, Flint, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.

NOES—Messrs. Burke and Dunn—2.

Title read and approved.

The President appointed as the committee to visit Golden Gate Park at San Francisco, Senators Maher, McAllister, McGowan, Mitchell, and Williams.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

MESSRS. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

Senator Burke, by request, was granted the right, as a member of the Committee on Constitutional Amendments, to file, on a future day, a minority report on Senate Constitutional Amendment No. 8.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section nineteen, line two, the words "twenty-one," and inserting in lieu thereof the following word: "eighteen."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend section twenty-nine by striking out of line one the words "twenty-five," and inserting in lieu thereof the word "fifty."

Lost.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Passed on file, at request of author.

Senate Bill No. 223—An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico.

SUBSTITUTION OF BILL.

Senator Shippee moved to substitute Senate Bill No. 669 (No. 323 on file) for Senate Bill No. 223 (No. 26 on file).

So ordered.

Senator Shippee was granted unanimous consent to withdraw Senate Bill No. 223.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file, at request of author, to retain its place.

Senate Bill No. 623—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry, for the wages of station employes at Chico and Santa Monica.

Passed on file.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for the use of the State Printing Department.

Passed on file.

Senate Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

The following committee amendment was submitted:

Amend section one by striking out the words "eleven thousand nine hundred," and inserting in lieu thereof the words "twelve thousand one hundred."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

The following committee amendment was submitted:

Amend by striking out of section one the words "two thousand two hundred," and inserting in lieu thereof the words "two thousand four hundred."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

RESOLUTION.

By Senator Voorheis:

Resolved, That the provision of the Constitution relative to the time in which bills may be introduced be and the same is hereby suspended, and permission is hereby granted to introduce a bill.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Fay, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Voorheis: Senate Bill No. 774—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison of a building for the accommodation of the insane prisoners, and making appropriation therefor," approved March 19, 1889.

Referred to Committee on Finance.

MOTION.

On motion of Senator Wilson, Senate Bill No. 138 was made a special order for consideration at one o'clock and thirty minutes P. M. to-morrow.

The hour of two o'clock having arrived, the consideration of Assembly bills by joint rules set for this hour was proceeded with.

THIRD READING OF BILLS.

Assembly Bill No. 627—An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of one hundred and twenty thousand dollars from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Campbell, Dunn, Earl, Fay, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Assembly Bill No. 126—An Act appropriating the sum of ten thousand dollars for supplying a system of heating and ventilating the State Normal School building at San José, California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Dunn, Earl, Fay, Flint, Gesford, Goucher, Harp, Hart, McAllister, Maher, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Assembly Bill No. 1—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-second fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Dunn, Fay, Flint, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

Title read and approved.

Assembly Bill No. 146—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, telegraphing, and contingent expenses, State Board of Examiners, for the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Assembly Bill No. 500—An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Dunn, Earl, Fay, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—27.

NOES—Messrs. Denison and Voorheis—2.

Title read and approved.

Assembly Bill No. 128—An Act appropriating the sum of three thousand five hundred dollars for completing and furnishing the training Department building of the State Normal School at San José, California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Denison, Earl, Fay, Flint, Gesford, Harp, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—Mr. Burke—1.

Title read and approved.

Assembly Bill No. 459—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-first fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Assembly Bill No. 460—An Act making an appropriation for the payment of an indebtedness created or to be incurred by the Surveyor-General in transcribing records and plat books in his office.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Fay, Gesford, Harp, Hart, Hoyt, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, and Williams—25.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

At three o'clock and forty-five minutes P. M., on request, Senators McGowan and Williams were granted a leave of absence for one half hour.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 281—An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Fay, Flint, Harp, Hart, Hoyt, Langford, Maher, Martin, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—25.

NOES—None.

Title read and approved.

Assembly Bill No. 282—An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled “An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor,” approved March 11, 1889.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Gesford, Harp, Hart, Hoyt, Langford, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—27.

NOES—None.

Title read and approved.

Assembly Bill No. 634—An Act making an appropriation to pay the deficiency in the appropriation for the restoration and preservation of fish in the waters of the State for the forty-second and forty-third fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, Langford, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

Title read and approved.

Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane to Mendocino Asylum.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, Langford, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—30.

NOES—None.

Title read and approved.

Assembly Bill No. 287—An Act to amend an Act entitled “An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same,” approved March 15, 1883.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Burke, Campbell, Denison, Dunn, Fay, Flint, Gesford, Harp, Hart, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

Title read and approved.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Read third time, and on motion of Senator McAllister, was sent to printer for correction in printed bill, the same to retain its place on file.

Assembly Bill No. 153—An Act to amend section six and section eight of an Act approved March 19, 1889, entitled “An Act authorizing

the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State."

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Harp, Hoyt, Langford, McAllister, McGowan, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.
NOES—None.

Title read and approved.

President pro tem. R. B. Carpenter in the chair.

Assembly Bill No. 241—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the Controller and payments into the State Treasury.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Fay, Gesford, Harp, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—26.
NOES—Mr. Mahoney—1.

Title read and approved.

Assembly Bill No. 186—An Act to amend section three thousand eight hundred and sixty-eight of the Political Code, relating to the report of County Auditors.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Earl, Fay, Harp, Hoyt, Langford, McAllister, Maher, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—25.
NOES—None.

Title read and approved.

Assembly Bill No. 270—An Act to establish a Naval Battalion, to be attached to the National Guard of California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—30.
NOES—None.

Title read and approved.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Senator Ostrom moved that Assembly Bill No. 114 be re-referred to Committee on Judiciary.

So ordered.

WITHDRAWAL OF BILL.

Senator Seymour was granted unanimous consent to withdraw Senate Bill No. 257 (No. 104 on file).

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 31—An Act to amend section one hundred and fifty-nine and one half of the Penal Code, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Hoyt, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Assembly Bill No. 195—An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Harp, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Passed on file, on motion of Senator Maher, the same to retain its present place on file.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Passed on file, on motion of Senator Maher, the same to retain its present place on file.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Senator Burke moved that Assembly Bill No. 37 be re-referred to Committee on Judiciary, but to retain its place on file.

So ordered.

Hon. J. B. Reddick, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Also: Senate Bill No. 75—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

RAGSDALE, Chairman.

SPECIAL ORDER.

Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners.

The following committee amendment was submitted:

Amend by inserting after the word "companies," on line next to last on page one, the following: "and were and now are incompetent."

Adopted.

Assembly Concurrent Resolution No. 7 ordered printed as amended.

MOTION.

Senator Berry moved to take up messages from the Assembly.
So ordered.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

RESOLUTION.

By Senator Berry:

Resolved, That Assembly Bill No. 797 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 797 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—33.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILL.

Assembly Bill No. 797—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

MOTION.

Senator Seawell moved that the consideration of Assembly Concurrent Resolution No. 7 be made the special order for to-morrow, at ten o'clock and fifteen minutes A. M.

So ordered.

LEAVE OF ABSENCE.

At three o'clock and forty-five minutes P. M. the Finance Committee was granted a leave of absence for one half hour.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments.

The following committee substitute was read and adopted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 233.

An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of eight thousand and forty-nine dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, to pay the following bills for printing and advertising the constitutional amendments:

Times-Mirror, Los Angeles, Los Angeles County, one hundred and fifty-four dollars and fifty-five cents.

Herald, Los Angeles, Los Angeles County, two hundred and thirty-seven dollars and fifty cents.

Republican, Fresno, Fresno County, two hundred and twenty-four dollars.

Times-Index, San Bernardino, San Bernardino County, two hundred and twenty-four dollars.

Union, San Diego, San Diego County, two hundred and thirty-eight dollars.

Express, Los Angeles, Los Angeles County, two hundred and eighty-six dollars and twenty cents.

Republican, Santa Rosa, Sonoma County, three hundred and nine dollars and forty cents.

Transcript, Nevada City, Nevada County, three hundred and forty dollars.

Argus, Alameda, Alameda County, four hundred and sixteen dollars.

Appeal, Marysville, Yuba County, four hundred and forty-two dollars.

News, Sacramento, Sacramento County, four hundred and sixty-four dollars.

Mercury, San José, Santa Clara County, five hundred and ten dollars.

Examiner, San Francisco, San Francisco County, six hundred and two dollars.

Record-Union, Sacramento, Sacramento County, six hundred and two dollars.

Bee, Sacramento, Sacramento County, six hundred and two dollars.

Tribune, Oakland, Alameda County, six hundred and two dollars.

Chronicle, San Francisco, San Francisco County, six hundred and two dollars.

Bulletin, San Francisco, San Francisco County, six hundred and two dollars.

Post, San Francisco, San Francisco County, six hundred and two dollars.

SEC. 2. The Controller of State is hereby authorized to draw his warrants for the sums herein payable, and the Treasurer of State is directed to pay the same.

SEC. 3. This Act shall take effect immediately.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery, and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Passed on file.

Senate Bill No. 304—An Act making an appropriation for the erection of buildings, and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom.

Passed on file.

Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Passed on file.

Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 355—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

On motion of Senator Goucher, Senate Bill No. 355 was passed, and made the special order for Saturday next, immediately after reading the Journal.

Senate Bill No. 327—An Act to appropriate money to pay the interest on State bonds belonging to the University of California, until the State may elect to pay the principal of said bonds.

Passed on file.

Senate Bill No. 639—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Senator Carpenter moved to amend by adding a new section thereto, as follows:

SEC. 4½. The Controller is hereby authorized to draw his warrant for the amount herein made payable, and the Treasurer directed to pay the same.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

RECESS.

At four o'clock P. M., on motion of Senator Orr, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

LEAVE OF ABSENCE.

At seven o'clock and forty minutes P. M., on motion of Senator Flint, the Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game was granted a leave of absence for one half hour.

On motion of Senator Whitehurst, a leave of absence for fifteen minutes was granted Senator Streeter.

The rules calling for the consideration of the Senate general file for this hour, the Senate proceeded to consider the same, as follows:

GENERAL FILE—THIRD READING OF BILLS.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official services, and of fines, penalties, and the like imposed.

Passed on file.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file.

Committee Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Passed on file.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 136—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Passed on file, by request of author.

Senate Bill No. 3—An Act establishing a commission for the revision of the laws.

Passed on file.

Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hun-

dred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

AMENDMENTS.

Senator Burke moved to amend, as follows:

By striking out of section one, line twelve, the words "the State," and inserting the following: "the county, and thirty days if outside the county and within the State."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Burke, Carpenter, Denison, Dunn, Fay, Gesford, McAllister, Mitchell, Orr, Seymour, Simpson, and Streeter—12.

NOES—Messrs. Bailey, Broderick, Campbell, Hart, Langford, Maher, Mahoney, Mathews, Ostrom, Ragsdale, Seawell, Shippee, and Whitehurst—13.

Senator Gesford moved to amend, as follows:

By inserting on line one, after the word "section," the word "one."

Adopted.

Read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 362—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges.

Passed on file, but to retain its place.

SUBSTITUTION OF BILL.

Senator Burke moved to substitute Senate Bill No. 404 (No. 168 on file) for Senate Bill No. 12.

So ordered.

Senate Bill No. 12—An Act to amend section two hundred and seventy-four of an Act entitled "An Act to establish a Code of Civil Procedure," relating to the duties and compensation of Court reporters, and to add a new section to said Act, to be known as section two hundred and seventy-four and one half, providing for appointment of reporters pro tempore in any action.

By unanimous consent, Senator Burke withdrew Senate Bill No. 12 (No. 79 on file).

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 404—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners.

On motion of Senator Burke, Senate Bill No. 404 was re-referred to the Committee on Public Printing, the same to retain its place on file.

Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

COMMITTEE AMENDMENT.

The following committee amendment was submitted:

Amend by striking out of section three hundred and sixty-two, lines eleven and twelve of printed bill, all after the word "powers," on line eleven, commencing with the words "and it," on line eleven, and continuing down to and including the word "powers," on line twelve.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

LEAVE OF ABSENCE.

At eight o'clock and fifteen minutes P. M., on motion of Senator McGowan, the Committee on Judiciary was granted a leave of absence for the remainder of the day.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 168—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Passed on file.

Senate Bill No. 471—An Act to amend section seven hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 428—An Act to repeal section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 429—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 430—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Read second time, and ordered to engrossment and to a third reading.

MOTIONS.

On motion of Senator Voorheis, the Senate proceeded with the first reading file.

At eight o'clock and twenty-five minutes P. M. Senator Broderick moved to adjourn.

Lost.

On motion of Senator Langford, Senate Bill No. 162 was re-referred to Committee on State Prisons and Prison Buildings.

FIRST READING OF BILLS.

Senate Bill No. 378—An Act to amend chapter seven, article ten, section nine hundred and ninety-six, Political Code, by adding a new division, providing for filling vacancies not otherwise provided for.

Passed on file.

Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry, and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Passed on file.

Senate Bill No. 65—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 514—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California, approved March 30, 1874, relating to the publication of assessment notices of incorporated companies.

Read first time, and placed on file for second reading.

Senate Bill No. 571—An Act to amend an Act entitled "An Act in relation to fence and pound district in the county of Sonoma," approved March 2, 1872.

Read first time, and placed on file for second reading.

Senate Bill No. 310—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Passed on file.

Senate Bill No. 532—An Act entitled an Act to appropriate money to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Passed on file.

Senate Joint Resolution No. 21—Relative to Yosemite National Park.

Passed on file.

Senate Joint Resolution No. 19—Relative to certain railroads in the United States being indebted to the United States.

Passed on file.

Senate Joint Resolution No. 14—Requesting the laying of a telegraph cable line from Northwest Seal Rock Light House, in Del Norte County, to Trinidad, Humboldt County.

Passed on file.

Senate Bill No. 41—An Act to amend sections three thousand six hundred and thirty-six, three thousand seven hundred and forty-six, three thousand seven hundred and fifty, three thousand seven hundred and fifty-one, three thousand seven hundred and fifty-six, three thousand seven hundred and fifty-eight, three thousand seven hundred and sixty-

four, three thousand seven hundred and eighty-five of the revenue laws of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 124—An Act to amend section six hundred and eighty of the Political Code, in relation to the investment of school funds, and validating bonds purchased therewith.

Read first time, and placed on file for second reading.

Senate Bill No. 422—An Act relating to the publication of legal notices.

Read first time, and placed on file for second reading.

Senate Joint Resolution No. 24—Relative to the free coinage of silver.

Passed on file.

Senate Bill No. 595—An Act to provide for the purchase of a furnished residence for the Governor of California, and stable premises for use in connection with the same, and to appropriate money therefor.

Passed on file.

Senate Bill No. 570—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Read first time, and placed on file for second reading.

Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 420—An Act to make an appropriation to pay the claim of R. B. Young, assignee of Mackay & Skinner, for extra work upon the Administration Building of the Reform School for Juvenile Offenders at Whittier, and make an appropriation for the same.

Passed on file.

Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Passed on file.

Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 594—An Act to appropriate money to pay the claim of Charlotte M. Holman.

Passed on file.

Senate Bill No. 395—An Act to amend section one hundred and ninety-four of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the fees and compensation of officers of counties of the thirty-second class.

Passed on file.

Senate Joint Resolution No. 23—Relating to ownership and operation of railroads by the people.

Passed on file.

Senate Bill No. 557—An Act for the protection of fish.

Read first time, and placed on file for second reading.

Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 196—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the State.

Passed on file.

Senate Bill No. 300—An Act to amend section three thousand seven hundred and thirty-one of the Political Code, relating to the duties of Auditors.

Passed on file.

Senate Bill No. 301—An Act to amend section three thousand eight hundred and five of the Political Code, relating to duplicate assessments.

Passed on file.

Senate Bill No. 421—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes.

Passed on file.

Senate Bill No. 379—An Act to restrain certain domestic animals from running at large.

Read first time, and placed on file for second reading.

Senate Bill No. 521—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Read first time, and placed on file for second reading.

Senate Bill No. 477—An Act to provide for the establishment and maintenance of free public employment offices.

Passed on file.

Senate Bill No. 460—An Act to provide for the employment of destitute citizens, and making appropriations therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 541—An Act amendatory of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Passed on file.

Senate Bill No. 642—An Act relative to Treasurers, their deputies, and clerks, in counties, and cities and counties having a population of two hundred thousand inhabitants or over.

Read first time, and placed on file for second reading.

Senate Bill No. 586—An Act authorizing the incurring of indebtedness by cities and towns and municipal corporations.

Read first time, and placed on file for second reading.

Senate Bill No. 452—An Act to provide for a topographical survey and map of the State of California, and appropriating money to pay for the same.

Passed on file.

Senate Joint Resolution No. 22—Relating to an amendment to the patent laws of the United States.

Passed on file.

Senate Bill No. 625—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Passed on file.

Senate Bill No. 686—An Act to amend section three thousand and five of the Political Code, in relation to Boards of Health.

Read first time, and placed on file for second reading.

Senate Bill No. 282—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Read first time, and placed on file for second reading.

Senate Bill No. 644—An Act relating to the operation of railroads.

Read first time, and placed on file for second reading.

Senate Bill No. 371—An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix a penalty therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 268—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain Acts of the governing bodies thereof, relative to franchises, shall take effect.

Read first time, and placed on file for second reading.

Senate Bill No. 340—An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered four hundred and thirty-two, relating to fire and marine insurance.

Read first time, and placed on file for second reading.

Senate Bill No. 645—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

Passed on file.

Senate Bill No. 172—An Act for the relief of Peter E. Farrell, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 654—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Read first time, and placed on file for second reading.

Senate Bill No. 152—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 676—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections thirteen and seventeen thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 154—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 697—An Act creating a Board of Commissioners of the building and loan associations, and prescribing their duties and powers.

Read first time, and placed on file for second reading.

Senate Bill No. 690—An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876.

Read first time, and placed on file for second reading.

Senate Bill No. 366—An Act to provide for the publication of public printing, and fixing a legal rate for the same; also, designating what a legal newspaper shall be, and what constitutes a legal publication.

Read first time, and placed on file for second reading.

Senate Bill No. 539—An Act to appropriate money to pay funeral expenses, to provide tombstones, to sink a well, and make needed repairs in and about the "Woman's Relief Corps Home" at Evergreen, in the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 726—An Act appropriating money to pay the expenses of transporting, insuring, and installing of California's exhibit in the Woman's Building of the World's Columbian Exposition.

Read first time, and placed on file for second reading.

Senate Bill No. 651—An Act to appropriate money to build and furnish a house for the Governor of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Read first time, and placed on file for second reading.

Senate Bill No. 692—An Act to limit the speed on street railroads in cities and towns of more than one hundred thousand inhabitants.

Read first time, and placed on file for second reading.

Senate Bill No. 657—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Read first time, and placed on file for second reading.

Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Read first time, and placed on file for second reading.

Senate Bill No. 662—An Act to promote the practical study of the sciences in the high schools of California.

Read first time, and placed on file for second reading.

Senate Bill No. 701—An Act to create a State Advisory Highway Committee.

Read first time, and placed on file for second reading.

Senate Bill No. 299—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain.

Read first time, and placed on file for second reading.

Senate Bill No. 98—An Act to provide for the publication of monthly statements by the Auditor, of county indebtedness.

Read first time, and placed on file for second reading.

Senate Bill No. 566—An Act entitled an Act concerning county government.

Read first time, and placed on file for second reading.

Senate Bill No. 718—An Act amending an Act entitled "An Act giving the consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891.

Read first time, and placed on file for second reading.

Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Read first time, and placed on file for second reading.

Senate Bill No. 706—An Act to amend section fifty-nine of the Civil Code of the State of California, relating to marriages.

Read first time, and placed on file for second reading.

Senate Bill No. 739—An Act to amend section six hundred and seventy-two of the Political Code, relating to the Board of Examiners.

Read first time, and placed on file for second reading.

Senate Bill No. 700—An Act to provide a method of determining the title to real property in this State by action in rem.

Read first time, and placed on file for second reading.

Senate Bill No. 329—An Act to amend sections two hundred and seventy-two, and two hundred and seventy-three, and two hundred and seventy-four of the Code of Civil Procedure of the State of California.

Read first time, and placed on file for second reading.

Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Read first time, and placed on file for second reading.

Senate Bill No. 740—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to amend section nine hundred and six thereof, relating to grand juries.

Read first time, and placed on file for second reading.

Senate Bill No. 738—An Act to amend an Act entitled "An Act giving consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891.

Read first time, and placed on file for second reading.

Senate Bill No. 693—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

Read first time, and placed on file for second reading.

Senate Bill No. 734—An Act to repeal the Act of March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval."

Read first time, and placed on file for second reading.

ADJOURNMENT.

At eight o'clock and forty minutes P. M. the Senate, on motion of Senator Mahoney, adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, February 24, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

MOTION.

This being the hour set for the consideration of several special orders, Senator Voorheis moved that the consideration of same be postponed until the proposed amendments to the standing rules of the Senate, submitted by him on yesterday, be disposed of.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Flint, Ford, Hart, Hoyt, Maher, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—19.

NOES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, and Whitehurst—16.

MOTION.

In compliance with notice given yesterday, Senator Voorheis moved to amend the standing rules of the Senate, as follows:

First—All bills making an appropriation for State institutions, all bills for State purposes of all character, all deficiency bills which have been approved by the State Board of Examiners, the General Appropriation Bill, the Tax Levy Bill, the County Government Bill, all bills pertaining to the public schools, the general road law bills, amending the general election law, constitutional amendments, and all joint and concurrent resolutions shall be placed on Urgency File, and shall be considered to the exclusion of all other business, between the hours of ten o'clock and thirty minutes A. M. to twelve o'clock M. of each day.

Second—On each day at the hour of three o'clock and thirty minutes P. M. the Secretary shall call the roll of the Senate, and each Senator shall then give the number of a bill which he desires to be placed under the suspension of the Constitution; when said roll is called, and all such numbers are given, a general resolution suspending the Constitution as to all such bills shall be introduced and voted upon, always provided that no bill shall be placed on said file, or under such suspension, if, when the number thereof is called, any six (6) Senators object thereto. In case of such objection the Senator whose bill is objected to shall be allowed to select another bill to which there is no such

objection. When such suspension is carried, and such file made up therefrom, the bills thereon shall thereupon be considered in the order in which they are placed on such file. No further roll call shall be called for the purpose hereinabove mentioned, until the file so made up is completed, and in case such file is not completed, it shall be the regular order of each day from three o'clock and thirty minutes P. M. to the evening recess.

Also: That Rule 8½ be abolished.

Senator Ostrom moved to amend by postponing further consideration of the amendments to the rules until Monday next at three o'clock and thirty minutes P. M.

Senator Carpenter moved an amendment to the amendment, as follows:

Strike out of the motion "Monday next at three o'clock and thirty minutes P. M.," and insert "Saturday next, immediately after the reading of the Journal."

Senator Carpenter's amendment was adopted, and Senator Ostrom's amendment, as amended, was adopted.

Whereupon, the consideration of the proposed amendments to the rules was declared set for Saturday next, immediately after the reading of the Journal.

On motion of Senator Seawell, the consideration of Assembly Concurrent Resolution No. 7, relative to investigating the Railroad Commissioners, already set as a special order for ten o'clock and fifteen minutes A. M. this day, was continued as a special order for three o'clock P. M. this day.

SPECIAL ORDERS—SECOND READING OF BILL.

Assembly Bill No. 10—An Act in relation to reassessments of property and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment.

The following substitute, submitted by the majority of the Committee on Corporations, was read:

SENATE COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 10.

An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since eighteen hundred and eighty-four is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. All property in this State, which since the year eighteen hundred and eighty-four has been assessed for purposes of taxation, and upon which the taxes levied have not been paid on account of any alleged illegality or invalidity of such assessment, or which have not been collected because of any error, irregularity, or invalidity in the proceedings to enforce the collection of such taxes, or for any other reason, shall be reassessed for each year since eighteen hundred and eighty-four for which such taxes shall remain unpaid, as aforesaid, by the proper officers or Board authorized and required by law to assess similar property, which reassessment shall be entered upon the assessment roll required by law to be made and entered, specifying in such assessment roll the year for which such reassessment shall have been made. The property affected thereby shall be subject to the payment of all taxes thereon for each year of such reassessment at the rate of the general tax levy for the year in which such reassessment may be made; and all the provisions of law now or hereafter provided in respect to assessment, equalization, levy, and collection of taxes shall apply to all reassessments made, and to the collection of taxes thereon, under the provisions of this Act.

SEC. 2. Such reassessment shall be made in the year eighteen hundred and ninety-three to the person, corporation, or estate, to whom or to which such assessment ought first to have been made.

SEC. 3. The taxes so levied, upon the property so reassessed, shall constitute a lien upon such property until such taxes are fully paid; and the same shall be payable at the

place and time, and in the manner provided by law for the payment of taxes on real estate, for the year in which such reassessment is made.

SEC. 4. If any installment of said tax shall not be paid as above required, the same may be collected in the same manner and by the the same remedies, and with the same penalties, as are now or hereafter may be prescribed by law for the collection of delinquent taxes.

SEC. 5. Upon the passage of this Act, all actions now pending to enforce the collection of any taxes alleged to be due upon any past assessment or attempted assessment of any of the properties embraced by the provisions of this Act, shall be suspended until one or more of said installments herein provided for shall become delinquent.

SEC. 6. This Act shall not be applicable to taxes or assessments for local improvements or street purposes.

SEC. 7. All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

SEC. 8. This Act shall take effect immediately.

The following substitute, submitted by the minority of the Committee on Corporations, was read:

An Act in relation to reassessment of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to levy and collection of taxes on said reassessments.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every assessment of property made after the year one thousand eight hundred and seventy-nine which is invalid, or may hereafter be adjudged to be, by reason of any illegality, invalidity, or irregularity declared or existing in the assessment of such property, or in the mode provided for the assessment thereof, shall be remade and the property reassessed and equalized for each year for which such assessment is invalid as aforesaid, and for the year for which the assessment of such property was invalid as aforesaid, and such reassessment and equalization shall be made by the same officers and Boards, at the same time or times, as is now prescribed by law for the assessment and equalization of property, of the same classes or kinds as the property which hereby is required to be reassessed. The assessment and equalized assessment of such property shall be entered on the several assessment rolls or books in the same manner that assessments of such property are required by law to be entered for the year or years during which such reassessment shall be made. And there is hereby levied for State purposes the same rates of taxation for each of such respective years as were heretofore levied upon such property for each of said years for said State purposes.

SEC. 2. All taxes for county, cities and counties, and lesser taxing districts, shall be levied by the proper Board or Boards upon the property mentioned in the first section of this Act, at the same rates at which they were levied upon property for each of said years after the year eighteen hundred and seventy-nine.

SEC. 3. All property authorized to be reassessed by this Act shall be reassessed and equalized by proper officers and Boards at the value and upon the estate and to the person or corporation to whom or to which such property ought for each of such years to have been assessed, under such rules of notice, and at the times and in the modes as are prescribed for the assessment and equalization of like classes of property; and the assessment and equalization thereof, and the levy and collection of taxes thereunder, shall be made by the proper officers at the time, upon like notice and in the manner now or hereafter provided by law for making assessments and equalizing the same, and for the levy and collection of taxes on like classes of property, and if the taxes so levied shall become delinquent, there shall be added thereto and the amount thereof the same percentage as a penalty for such delinquency as is added to other delinquent taxes on like classes of property, and such delinquent taxes and penalties added thereto shall be collected by the proper officers in the manner now or hereafter provided by law for the collection of delinquent taxes and penalties upon like classes of property; the collectors of such taxes to allow as credits thereon all payments heretofore made on the tax as first levied.

SEC. 4. There shall be no limitations as to the time in which actions for the collections of taxes levied under this Act may be commenced, and all the provisions of law now or hereafter provided in respect to assessments, equalization, levy, and collection of taxes shall, where applicable, apply to reassessments, equalization, and reliefs and collections of taxes made under the provisions of this Act.

SEC. 5. This Act shall apply to taxes only, and not to assessments for local improvements or street purposes.

SEC. 6. This Act shall take effect and be in force from and after its passage.

Senator Carpenter moved the adoption of the substitute submitted by the majority of the Committee on Corporations.

Senator Ostrom moved to amend, as follows:

That the Senate adopt the substitute submitted by the minority of the Committee on Corporations.

The question being on the adoption of the minority substitute.

POSTPONEMENT.

At eleven o'clock and fifty-five minutes A. M., on motion of Senator Goucher, the special order now under discussion was postponed for further consideration until one o'clock and thirty minutes P. M. this day.

MOTION.

Senator Goucher moved that the Senate proceed to take up and consider Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendment to Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane to Mendocino Asylum.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-third day of February, passed Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Also: Senate Bill No. 11—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Also: Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Also: Senate Bill No. 1—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets, or public highways, of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

Also: Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-third day of February, passed Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much

of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State expenses," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Also: Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 632, 11, 20, 1, and 174 ordered to enrollment.

Assembly Bill No. 737 referred to Committee on Finance.

Assembly Bill No. 402 referred to Committee on Judiciary.

SUBSTITUTION.

Senator Goucher was granted unanimous consent to withdraw Senate Bill No. 355 (No. 448 on file), and to substitute therefor Assembly Bill No. 36, they being identical bills.

Senate Bill No. 355—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

The history of Senate Bill No. 355 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 355 withdrawn and Assembly Bill No. 36 substituted therefor on file as a special order for consideration on Saturday, February 25, 1893, immediately after reading Journal.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF SPECIAL COMMITTEE.

Senator Ford, of the committee to investigate and report upon the management and needs of the Reform School for Juvenile Offenders at Whittier, Los Angeles County, presented the following report, and asked that the same be printed in the Journal:

So ordered.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your special committee appointed to investigate the conduct, management, and needs of the Reform School for Juvenile Offenders, located at Whittier, county of Los Angeles, have performed the duties assigned them, and beg leave to report as follows:

Your committee arrived at the said school on the afternoon of February 18th, instant, and proceeded at once to inspect the buildings, machinery, equipments, and grounds of said institution. On the evening of the said last named date, your committee began the taking of oral testimony, and continued the same through the whole of the 19th and the forenoon of the 20th, and in the taking of such oral testimony examined the following-named persons:

Hervey Lindley, ex-Trustee; Maj. E. L. Stern, President of the Board of Trustees; F. A. Gibson, Trustee; Father A. Montanarelli, Catholic Priest; Mrs. Anna S. Averill, representing the Congregational Church; Mr. A. E. Pomeroy, Secretary of the late Grand Jury of Los Angeles County, and Superintendent of the Methodist Sunday School of Los Angeles City; Capt. H. Z. Osborn, editor of Los Angeles "Express;" Gen. E. P. Johnson, furniture dealer in Los Angeles, and Brigadier-General of the National Guard of California; Miss DeWolf, Principal of the Girls' Department; Paul Boteler, a stenographer and pupil at the school; Capt. A. F. Mackay, the contractor who erected the school buildings; Dr. Walter Lindley, Superintendent; Mrs. Lindley, Matron of the Boys' Department; Col. H. G. Otis, editor of the Los Angeles "Times."

We have also read and carefully studied the two biennial reports submitted by the Board of Trustees of said institution to the Governor of California, on the twenty-eighth day of November, 1890, and the thirtieth day of June, 1892, respectively, and have found the facts set forth in said biennial reports to fully conform to those established by our investigation. We would specially recommend a careful study of these reports by each member of the Senate.

There were at the time of our examination three hundred and thirty-four boys, ranging from ten to eighteen years of age, and seventy-six girls of similar ages, receiving the care and training of said school, making a total of four hundred and ten pupils.

The boys, being larger in number, are cared for in the main buildings, being those heretofore erected by the State. Our investigation disclosed the fact that there is not sufficient room in these buildings to properly accommodate more than two hundred and fifty boys, and there are, therefore, at present some eighty-four more boys being cared for in these buildings than they can properly accommodate, thus exhibiting a very crowded condition. This, as will be readily seen, when you take into consideration the character of the boys that are sent here for training and education, is necessarily dangerous to the discipline and proper conduct of the school. Our investigation further disclosed the fact that there are a number of boys in the jails of California to the number of at least fifty—waiting admission to this school. The crowded condition of the Boys' Department has necessitated the use of the halls for dining purposes, and dressing-rooms as well, and the dormitories are so crowded that there is not the air space that the health of the children requires, and it is therefore an imperative necessity that additional room should be provided for the Boys' Department. Such additional room should, in our opinion, be provided by the construction of cottages, as recommended by the last biennial report of the Superintendent, and for the reasons in such report given; such cottages to contain fifty pupils each, under the direct supervision of some proper man and wife. We further find that the facilities for teaching the boys trades and occupations are wholly inadequate to the numbers now attending the school, and if the purposes of the school are to be carried out, and the boys taught useful occupations, additional means for so training and teaching them will have to be provided. The Superintendent's report has shown this more fully than we could in the limits of this report, and we are pleased to indorse all that the Superintendent has said in this behalf in his report.

We were much gratified with the high order of discipline maintained at the school. After a searching inquiry we failed to discover any evidence of any serious infraction of the school discipline. The boys are divided into companies of about fifty, each graded according to culpability or innocence, and the military idea or theory is carried to its utmost detail. So far as we could ascertain the boys are contented and cheerful, and interested in their work. The predominant feature of the entire institution is the idea that soon gains possession of each boy that he is attending a military school, which includes the teaching of trades as well as the regular branches of a common school education. The boys are of a necessity regular in their habits and correct in their morals. Their religious training is not neglected, and representatives of all denominations are afforded ample opportunity to teach the children the principles of morality.

A large chapel furnishes ample opportunity and accommodation for religious instruction and proper entertainments.

We deem it our duty, as well as pleasure, to say that the high degree of efficiency attained at this school is in no small degree due to the able and conscientious efforts of the Superintendent and his wife. We have carefully noted the manner in which they are conducting the school, and their treatment of the pupils and the high degree of confidence which they have inspired in the pupils and the great interest they have induced them to take in the work of the school. Dr. Lindley is certainly especially fitted for this character of work, and the State is indeed fortunate in the possession of his services in this behalf. Mrs. Lindley evinces equally as great an interest in the welfare of the pupils as does her husband. She personally supervises their correspondence, which amounts to about five hundred letters per week. We noted particularly the exhibition of respect, and even love, which the pupils display for her. We would feel that we were lacking in our duty did we not say this much for the Superintendent and his wife.

The girls, seventy-six in number, are at present being cared for in a rented building a mile distant from the main buildings, where the boys live. This rented building is wholly unfit for the purposes to which it is being applied. If these girls are to be kept under the management of the Whittier School it will be absolutely necessary that a State building or buildings should be erected for them.

It is our opinion that the cottage plan suggested by the Superintendent in his report should be adopted. Let cottages of sufficient size, and otherwise properly constructed, be built to care for fifty girls each, under the supervision of a competent matron, the girls to be graded upon the basis of an entire separation of the chaste from the unchaste. We find in the Girls' Department the same general plan of training and education as we have described in connection with the Boys' Department. They have their hours of work and hours of study, as have the boys, and the military idea is also observable here. The girls have their work, as do the boys, and as nearly as may be, each girl is given the work that appears to suit her best. They attend to their own rooms, their own wardrobes, do their own cooking, take care of the entire house, and wait on the tables with a regularity and neatness that is really commendable. Here, too, it is at once observable that the idea is being thoroughly instilled into the minds of the girls that they are not confined in a penal institution, but are attending a boarding school. The management at first experienced some difficulty in obtaining the services of a competent and proper Principal for the Girls' Department, but they have now succeeded in securing Miss DeWolf, who has heretofore had experience in similar work in the East. Miss DeWolf has had charge of the Girls' Department for about three months, and it is but due to her to say that she is thoroughly equipped for the duties she is called upon to perform. She appears to take a decided interest in her work, and has an abiding faith in the results that can be accomplished with the girls under her control.

We feel that the length of this report is justified by the transcendental importance of the work accomplished at Whittier. No grander work has ever been undertaken by California at any time. The gathering together of the boys of California who have, owing to a diversity of circumstances, started out in life upon the wrong road, and instilling in their hearts a love of all that is good and pure, training their minds to think aright and their hands to follow useful occupations, is a labor that is not only fraught with good to the moral welfare of our State, but its financial benefits are worthy of our highest consideration. It should not be forgotten that over three fourths of the boys that come to Whittier were born in California, and that only six per cent of the entire number were born in foreign lands. As was said prior to the establishment of this school:

"The State of California has wisely paid millions and millions of dollars for building, equipment, and maintenance of the State University and Normal Schools, where the fortunate youth of our commonwealth are educated; but for the unfortunate, those who through incapacity or death of parents, or through abject poverty and through hereditary criminal tendencies are thrown upon our streets before they have reached years of discretion, California has done absolutely nothing. Millions of dollars are spent annually by the State caring for these unfortunates after they have become adults and entered our penitentiaries and insane asylums; but nothing has been done in this state toward taking these youths who have started on the broad road to ruin, teaching them useful trades, habits of industry, and depriving them of the baleful effects of opium, tobacco, alcohol, and impure associations."

We also desire to say that we examined the financial condition of the institution, and found that the affairs had been prudently and economically administered, and that the appropriations made and the deficiencies incurred had been properly and prudently expended. We particularly inquired into the personal standing of the Trustees, Messrs. Stern, Gibson, and Elliot, and found that they had the reputation of being men of strict integrity and exceptional business capacity.

In view of the above facts, and as the result of our investigation, we would make the following recommendations:

First—We would recommend an appropriation of \$121,000 to cover the deficiency incurred for the maintenance of the school to the end of the present fiscal year, to wit: June 30, 1893, this deficiency having been already sanctioned by the State Board of Examiners.

Second—We recommend an appropriation of \$240,000 for the maintenance of the school for the forty-fifth and forty-sixth fiscal years, commencing July 1, 1893, and ending June 30, 1895. This recommendation is based upon the estimate which we have

carefully examined of \$25 per capita per month, for the maintenance of each pupil, this maintenance being estimated as follows, showing the amount expended upon each pupil in detail:

| | |
|---|---------|
| Salaries of officers and employes..... | \$8 50 |
| Provisions..... | 7 50 |
| Clothing..... | 3 00 |
| Materials used and tools worn out in shops..... | 1 00 |
| Table-linen worn out and tableware broken..... | 50 |
| School books and appliances..... | 50 |
| Fuel, lights, and power..... | 2 00 |
| Incidentals, including medicine and medical attendance..... | 2 00 |
| Total..... | \$25 00 |

It should be borne in mind that a regular boarding school furnishes a pupil simply tuition and board for ten months in a year; whereas, the Whittier School furnishes tuition, board, clothing, instruction in trades, military training, and strict surveillance day and night, for twelve months in the year.

Third—Buildings for girls and equipments, \$65,000.

Fourth—Additional buildings for Boys' Department, \$25,000.

Fifth—Construction of kitchen, bakery, and commissary building, with equipments, \$8,000.

Sixth—Construction and equipment of laundry, machine shop, and blacksmith shop, \$10,000.

Seventh—Purchase and piping of water supply, \$8,000.

Eighth—The following items: Barn, \$1,500; cow and hay barn, \$1,000; shelter buildings, \$2,000; additional electric plant, \$2,500; nursery stock, \$2,500; additional cows, horses, and implements, \$2,000; fees for architect, \$3,000; books, periodicals, etc., for the libraries, \$2,000.

The above recommendations have been made after careful and conscientious study and examination of the entire situation and the needs of the said institution, and we believe that any reduction of the appropriations above recommended would very materially cripple the efficiency of the institution.

In conclusion, your committee begs leave to suggest that, inasmuch as the above institution has passed beyond the experimental stage and is now a permanent State institution, there should be provided for it a permanent fund, to consist of a fixed percentage of the taxes annually collected for State purposes, thus removing the institution as far as may be from the influence of partisan politics, and rendering it more stable and independent and unembarrassed by legislative uncertainties.

Respectfully submitted.

TIREY L. FORD,
WM. J. BIGGY,
Committee.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your special committee appointed to investigate and report upon the arrangement and needs of the Reform School for Juvenile Offenders, at Whittier, in the county of Los Angeles, having visited said school and reported back the result of their investigation to the Senate, now present their account for mileage and expenses, as follows:

| | |
|--|----------|
| Senator Ford, 956 miles..... | \$95 60 |
| Senator Biggy, 956 miles..... | 95 60 |
| P. J. Keane, Sergeant-at-Arms to committee, 956 miles..... | 95 60 |
| J. C. Mulligan, stenographer to committee, 956 miles..... | 95 60 |
| Per diem of stenographer..... | 30 00 |
| Transcript of testimony, 396 folios..... | 99 20 |
| Total..... | \$511 60 |

Therefore,

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Tirey L. Ford, Chairman of the above committee, for the sum of five hundred and eleven dollars and sixty cents (\$511 60), as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

FORD, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Senator Maher, of the joint committee on memorial services in memory of the late James G. Blaine, presented the following report of the proceedings of the joint convention, and asked that the same be printed in the Journal.

So ordered.

REPORT OF JOINT COMMITTEE ON MEMORIAL SERVICES IN MEMORY OF THE
LATE JAMES G. BLAINE.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: The joint committee appointed in accordance with the following resolution:

Resolved by the Assembly, the Senate concurring. That a special time be set apart for a memorial address to be delivered in joint session of the Senate and Assembly in honor of the memory, life and services of the Hon. James G. Blaine, and that a committee of six, three to be appointed by the President of the Senate and three by the Speaker of the Assembly, be appointed to select the time of and speaker on such occasion.

Respectfully reports as follows:

In compliance with previous arrangements of the joint committee, memorial services commemorative of the death of James G. Blaine were held in the Assembly Chamber at ten o'clock and thirty minutes A. M. Wednesday, February 22, 1893 (Washington's Birthday), the Senate and Assembly meeting in joint convention.

The Speaker's and Clerks' desks were draped in mourning.

Hon. R. B. Carpenter, President pro tem. of the Senate, presided.

The following programme, deemed by the committee appropriate to the occasion, was rendered:

1. Funeral March (*Chopin*), by the orchestra. Entrance of Senators, Assemblymen, and State officers.

2. Reading and adoption of memorial resolutions.

The joint committee presented the following resolutions, which were read by Hon. F. G. Finlayson, Chairman of the Joint Committee:

WHEREAS, The people of California have heard with profound regret the announcement of the death of that illustrious American citizen, the Hon. James G. Blaine; therefore, be it

Resolved, That the members of the Legislature of this commonwealth, in joint convention assembled, do express their sense of the National loss sustained and their estimate of the private character and public service of the peerless statesman in this tribute to his memory. James G. Blaine was the ideal American statesman. His mental grasp of public questions was unequalled, and his sympathies, like his patriotism, were ever broad and responsive. In thirty-seven years of almost continuous public life, embracing, in its measure, the duties of a legislator in the State of Maine, service in both houses of Congress, and positions in the Cabinet of the United States. His consistent and able support of every leading proposition tending to the advancement of this country to the highest position among the renowned nations of the world, won for him a recognition reserved only for the greatest of men. Diligent study, ample resources of intellect, and above all, an alert sense of patriotism, enabled him to comprehend, long before the day was removed from the eyes of other statesmen, that unrestricted immigration from Asia to this land would inevitably degrade American labor on the Pacific Coast, and with the ready courage of his conviction, he fought in the minority for the industrial supremacy of the Caucasian race. His superb service, rendered in that recent struggle for human civilization, will ever be remembered by a grateful people in California. Voicing the sentiments of the people of California, we express our profound regret over the loss of this illustrious American statesman, and express the hope that his example of fidelity to free institutions will speak to future generations.

To the family of the lamented statesman, we tender sincere sympathy in their bereavement, and as an expression of our feeling, it is directed that a copy of the memorial be transmitted to Mrs. Blaine.

Mr. Dodge moved the adoption of the resolutions by a rising vote.

So ordered.

The President of the Joint Convention thereupon declared the resolutions adopted by unanimous vote.

3. "Not Dead, but Sleepeth" (*White*; bass solo, by W. H. Kinross; male chorus of eighteen members from the Sacramento Choral Society, accompanied by the orchestra.

4. Invocation. Rabbi J. Leonard Levy, of the Congregation B'nai Israel, Sacramento, was introduced and delivered the invocation, as follows:

Almighty God and Father! Thou art the first, and Thou art the last, and beside Thee there is no God. Wherever we turn our eyes, or bid our thoughts take flight, there art Thou, here in Thy majesty, there in Thy power, everywhere in Thy love. Whether we gaze adoringly, on the heavens, fretted with golden fire, or on the tiny blade of grass, seeking the sun's rays and the refreshing breezes; whether we stand amazed by the vast ocean, when its angry waves are lashed into a fury by the tempest, or by the purling brook, on whose bosom plays the dainty ripple; whether we listen overawed to the far-resounding peal of the thunder, or to the gentle rustling of the leaves when the southern zephyr "makes the trees clap their hands;" whether we contemplate the forest giant, adorned with a crown of foliage, or the tiny petal of the rose, begemmed with the glistening dewdrop; or whether we feel Thy presence in public and private joys and sorrows, we are always impressed that Thou alone art God, that Thou art forever the same, that Thy years end not, that with Thee, majesty, power, and love are eternal.

Contrasting these, Thy infinite qualities, with the transient character of man's days on earth, we are led to ask: "Lord, what is man that Thou art mindful of him, the Son of Man that Thou takest heed of him?" On the side of his physical nature he is like the beasts that perish; but on the side of his spiritual nature, since he partakes of Thy divine essence, he is little less than the angel, endowed with aspirations and longings, yearnings, and desires, that indicate that he is not wholly of this earth.

Lord God! we invoke Thy help that these cravings be rightly directed. We pray that more and more our natures be awakened to the force of the reasonable hope of that life, when, divested of our earthly bodies, we shall awaken in Thy presence, perhaps to see the deeds done in our days of nature in their right light, perhaps to analyze the motives with which we performed them.

We recognize that there is also an immortality on earth for Thy children, O God. We feel that it largely depends on man himself whether his name be inscribed on shifting sand or on imperishable marble; that it depends on us alone, and upon the right use made of our faculties and the means at our disposal, whether, when we lie in the silent grave, when the tombstone has crumbled into dust as our bodies, and the grass thereabouts has withered, and the banks of flowers faded—whether our names be forgotten on the tongues of men, whether, like balloons with which children play, death makes a puncture in us and, falling into nothingness, we be entirely gone forever—or whether we shall have gotten for ourselves a name which death cannot touch, which age cannot impair, which clouds cannot conceal, nor storms blight.

Help us, O God, to strive for this immortality on earth, even as we desire eternal life with Thee. Send us Thy light and Thy truth, and may they restrain our selfish passions and inspire us with generous sentiments. Teach us to feel that the elixir of eternal life is a specific composed of benevolence, sincerity, and unselfishness, to be used not only towards those of our own creed, race, and position, but towards all men, for we are all Thy children.

We thank Thee for this hope within our breasts, and for the possibility of its fulfillment. We thank Thee for the many examples which Thou hast furnished us in the form of illustrious men and women, by contemplating and imitating whom we feel that Thou wilt suffer our hopes to be realized.

It was because in our judgment our departed brother, in honor of whose memory we are here assembled to-day, was graced with noble qualities that we admired him—that we praised him living and treasure his memory dead. Yet we know, O God, that Thou dost expect more, if this demonstration of affection is to be more than a sterile tribute.

We know that Thou wouldst have us become inspired with his devotion, and we therefore beseech Thee to aid us to love what he loved, to struggle and fight for what he defended, to seek and strive for this great nation, to set America above our chief joy. As he was in all things actuated by a pure love of our country, as he was inspired with a deep and earnest longing to see her traditions honored, her institutions supported, and her people united, so, O God, may we be moved by like loyalty, integrity, and patriotism. Into Thy safe-keeping we commit his spirit, in the full and certain hope that his righteousness will bring an exceeding great reward.

Thou who healest the broken-hearted and bindest up their wounds, send Thy heavenly comfort to those who mourn. Be a father to the orphan, and a protector to the widow from the garden of whose existence the fairest tree has been plucked. Fill the hearts of all mourners with love and reverence of Thee to serve Thee with a perfect heart, so that when it shall please Thee to call them unto Thee their end shall be peace.

We ask Thy blessing on all assembled here to-day. They are all Thy children, and for all we ask Thy fatherly protection and benediction.

And bless our own land. May the hopes of all her founders and servants be realized. May her citizens recognize that National prosperity, without moral nobility, is as a gem in the forehead of a skull; that righteousness alone exalts a nation. May liberty continue to be our presiding genius; not liberty to do wrong unpunished, but liberty to listen to the voice of conscience, liberty to choose Thee, O God, for our master; liberty to excel in truth, purity, honor, integrity, virtue, duty. May America ever be the land of the brave and the home of the free. May this great fabric never fall. Cleanse all the administrations of National affairs. May those in office be upright, hating deceit. May legislators unselfishly and patriotically serve their country, and not their own ends. Take under Thy protection the President of the United States, and those dear to him, and all who administer the public affairs of this vast commonwealth, the Governor, and officers of this State and city, that through them order may be preserved, and peace, right, and liberty be fostered. Lord! hasten the day of blessed promise, when men shall truly regard each other as brothers, when hand shall meet hand in friendship, and heart speak to heart in love; when swords shall be beaten into plowshares, and spears into pruning-hooks; when there shall be learned no more war; when shadows of ignorance, and superstition, and hatred shall have fled, and the bright light of knowledge, religion, and love shall illuminate men's minds, when all shall acknowledge Thee as the One Common God and Father, Thou who art One and Thy Name, the One and Eternal God! Amen.

5. "Traumerei" (*Schuman*), by the orchestra.

6. Memorial poem.

Ruth E. Newland, M.D., was introduced, and delivered the memorial poem, as follows:

I have been by his side as he touched each round,
 In climbing the Ladder of Fame;
 I have kissed his brow when I heard the sound
 Of each groan of anguish and shame.
 When the roar of the cannon, of shot and shell,
 Told of conflict, of war, and of strife,
 The heart of the statesman in his bosom did swell;
 Then his country had need that his life
 Should be spent in the work of political toil.
 With tongue, pen, and soul in the van,
 He ne'er failed in duty, he ne'er did embroil,
 But was ever the peace-making man.
 I have stood by his side when each feather in wing
 Seemed to quiver with anguish and sorrow;
 I have turned aside malice, and have taken the sting,
 And have whispered, "Just wait till the morrow."
 Of closing his life, to see him walk in
 At the entrance when the gates open wide,
 When those glorious forms with no taint of sin
 Walk in glory close by his side.
 That heavenly throng of angels so bright
 Will each stand with close-folded wings—
 Will be mute with surprise in the realms of light,
 And the seraphs will all cease to sing,
 For a soul has come from the "Sorrowful Star,"
 Has come home to the bosom of God.
 They have heard of that life midst its tumult and war,
 And the straight path of duty he trod;
 Then we'll give him a welcome, we will open the gate,
 Each harp will be ready and sweet—
 For the one to precede him is the Angel of Fate,
 With laurels to lay at his feet.
 But one of them all to his touch will be given,
 It seems with earth's memories rife;
 It has come to his hand midst the glories of heaven,
 It's the "Last Round of the Ladder of Life."

7. "Sleep On, Beloved" (*Bliss*), by the chorus (unaccompanied).

8. Memorial address.

Hon. G. G. Goucher, Senator, of Fresno, was introduced, and delivered the memorial address, as follows:

MR. PRESIDENT AND FELLOW-COUNTRYMEN: We are gathered here to lay upon the grave of James G. Blaine a fresh garland of glory, plucked from the warm hearts of seventy million Americans.

In tendering this tribute to the illustrious dead, we have honored ourselves in selecting a day that commemorates him who "was first in war, first in peace, and first in the hearts of his countrymen." The stricken procession of unsheltered heads, bowed forms, and tear-stained faces of other Americans in Pennsylvania, in Maine, in the District of Columbia, has not passed unobserved by the great-hearted host who populate the Golden State. Divested of partisan jealousy, we have assembled at the bier of a great statesman, and from this solemn presence and consecrated spot we send across the rivers, the mountains, and the valleys to the confines of the roaring Atlantic assurances of our sympathy and announcement of our sadness.

Over our own hearts the sable, hovering pinions of sorrow have been spread, and their black shadows have eclipsed the California sunshine in our breasts.

We discover in the conclusion of such a sacred message to our Eastern brethren the silent summons to return our minds to this occasion and this place. Surprising, yet pleasing, is the discovery that when our minds concentrate again upon this occasion and its cause, the desolating touch of sadness and sorrow begins to flee under the pursuit of a strange enjoyment. This feeling cannot be analyzed except through the reinforcement which comparison may afford.

None can stand on the seashore and watch the distant incoming waves, their dancing crests sparkling in the jewels that seem kisses stamped there by the tender and softened light of the stars, without feeling happiness in the thought that such beauty will come rolling and smiling shoreward forever.

None can gaze upon the hillside through the sweetened air of springtime and see the manifold bloom that a great God has unfolded, like a gorgeous carpet, without the entrancing reflection that such vision is to be repeated through countless centuries.

None can look upward to the sublime heavens and feast his soul upon the distant diamonds, that seem like angels' eyes, without rejoicing in the knowledge that this shining coronet belongs to all time and all generations.

Inspired by these feelings that captivate the heart and command the intellect, it is appropriate to seek their relatives in history.

Whenever peril, from either within or without, has appeared against our country, the emergency has always sent out in freedom's vanguard the man or the men for the hour

We have had our Warren, and our Washington; we have had our Lawrence, and our Sumner; we have had our Patrick Henry, and our Harry Lee; we have had our Winfield Scott, and our Farragut; we have had our Grant, our Sherman, and our Sheridan; and also our Webster, our Clay, and our Calhoun.

Yet, to no heart pulsating on our soil has ever come inconsolable sorrow that these men lived, or that in the fullness of their years and their honors they bowed to heaven's decree and died.

In her great and matchless names we may see the supreme safety of the Stars and Stripes, and the unbroken ramparts that stand eternal guard around the Union of the States.

We may then appropriately feel that, in tendering our tribute to the great dead, we are but lifting their names to an immortal station in the cloudless sky of our Nation's love.

We may upon such occasion take selfish payment for our own action in the reward for which reason furnishes security that the uncounted generations yet hidden behind the future's mystic curtains, will ever turn their patriot eyes upon the name we are humbly striving to distinguish to-day.

No Nation can sustain itself without some source of patriotism which inspires the young people of the land.

When the true American statesman, in the evening of his impaired strength, turns his failing eyes toward the temple of American liberty, and feels the stronger beating of his dying heart, his patriotic hope will always gather about it the raiment which falls as gently as a snowflake and as welcome as a sunbeam from the shining names of his country's fallen and buried guides.

Without the name and record of Washington how could we teach our boys the inspiring lesson which has sent our flag like the rainbow of promise before all liberty-loving people on earth?

Without Captain Lawrence how could we explain to our growing sons the story that no flag can fall which is supported by salutation coming through the frosts of death as they seek to seal and lock the lips?

Without Marion how could we hope that young American eyes would open like full moons as their memory lifts the great story of his sacrifices into a monument forever dedicated to the cause of freedom?

Without Webster and Clay, Calhoun and Corwin, Lincoln and Sumner, Benton and Douglas, where will we go to arouse the sleeping eloquence of the romping and smiling children, now our thoughtless heirs, yet soon to be our dignified successors?

And to-day let us find enjoyment in the knowledge that James Gillespie Blaine has risen above death to the sublime station from whence his brilliant qualities and his untiring devotion to the American Union will always send a blessing down to electrify the young American and to persuade him to noble action.

To the constellation of great Americans we must now consent to send its newest, if not, indeed, its best and brightest jewel. There let that name live, shedding the stimulating rays of its own deserving upon the growing millions which are to lead this nation upward and onward to undying fame.

Some time in tamer hours it may be proper to recall the fact that Mr. Blaine was born in West Brownsville, Washington County, Pennsylvania, on January 31, 1830. Certainly it is not inappropriate to say that the Irish people, whose blood and brawn have been brave and free on every field that has heard the voice of freedom for a thousand years, furnished Mr. Blaine his honored parentage. But when he was born his country was the world, and his relatives were the decent inhabitants of all civilized countries.

Mr. Blaine's education was like his superb ambition. It was broad, expansive, and completely American.

What satisfied so many minds was but the budding of hope in his. His fine literary inclination led him to journalism, and journalism led him to his long-loved State of Maine. His remarkable talent for successful discussion upon great National problems enticed him into the noisy and active battle of politics, and there he soon became the leading knight, whose banner always measured the course of march, and whose clarion voice always sounded reviving music to the sinking hopes of his followers.

Naturally he was sent to Congress, and there he found a wider field for his unrivaled powers, and, as easily as he had conquered in smaller stations, he won his triumphs in the new and greater.

The marked features of his Congressional career are in the brilliant and dashing method of winning victory from apparently hopeless conditions. He was the triumphant Alexander of political campaigns, the unequalled Bonaparte of debate; yet he was ever the hero of mercy to a fallen cause or a beaten antagonist.

Some there are who embrace the very excess of celebration in the hour of triumph, but Blaine was too tender of the feelings of those whom his victories had prostrated to ever smile in their presence at his own successes.

Thus it was an open way for him to stand a welcome visitor at the hearts of his adversaries. Beyond the confines of our beloved country his name became a symbol of fear to those who meant us harm. In foreign countries he excited mingled surprise and admiration in the ranks of those trained and veteran diplomats whose opinions are worthy of quotation. To Gladstone and Salisbury at London, to Bismarck and Caprivi at Berlin, to Gortchakoff at St. Petersburg, and to Andrássy at Vienna, he introduced the fresh and lustrous vigor of diplomacy, which came with a glittering shield and polished helmet from the West.

All Americans have been proud to concede that Blaine was one of the most ardent lovers of America that any generation produced. But some have doubted whether his great heart was endowed with that sentiment and poesy which go out like the bubbling waters of a crystal spring to our famous fellow-countrymen. An insight to his heart in this regard is afforded by the beautiful closing words which Blaine uttered in memory of his friend, the lamented Garfield.

I quote them now because they uncover the tender heart that lay within the breast of James G. Blaine:

"Masterful in his mortal weakness, he became the center of a nation's love, enshrined in the prayers of a world. But all the love and all the sympathy could not share with him his suffering. He trod the wine press alone. With unfaltering front he faced death. With unfailing tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet he heard the voice of God. With simple resignation he bowed to the divine decree.

"As the end drew near, his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from his prison walls, from its oppressive, stilling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea—to live or to die, as God should will, within sight of its heaving billows, within sound of its manifold voices. With wan, fevered face tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its fair sails, whitening in the morning light; on its restless waves, rolling shoreward, to break and die beneath the noonday sun; on the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a farther shore, and felt already upon his wasted brow the breath of the eternal morning."

In conclusion, let us remember that Blaine's great soul, like Garfield's, has floated above into the eternal rewards that fall upon good men's heads, in that union which is around the throne of God.

Like Garfield, he has left the pains of earth for a glorious destiny. Like the name of Garfield, his name has ascended to the zenith of American fame, and there it will shine forever, inspiring the flower of American manhood to hasten to the front on that broad and splendid highway which leads to the best permanent progress for the American Union.

9. "Rest, Spirit, Rest" (*White*), by the chorus and orchestra.

10. Benediction.

Rabbi J. Leonard Levy delivered the benediction, as follows:

May the spirit of God be with you all. May the services of to-day leave with you an abiding influence. May the example of our heroic and patriotic brother arouse within you a purer and more elevated love of our native land. May God bless you and keep you. May God cause His face to shine upon you and be gracious unto you. May God cause His face to shine upon you and give you peace. Amen!

11. "Solitude" (*Czibulka*), by the orchestra.

FINLAYSON, Chairman.
LYNCH.
BUCKLEY.
MAHER.
FLINT.
GESFORD.

CONSIDERATION OF ASSEMBLY BILL No. 10—(RESUMED).

The question being on the motion of Senator Ostrom to adopt the minority substitute for Assembly Bill No. 10.

On motion of Senator Seawell, the further consideration of Assembly Bill No. 10, and the proposed substitutes therefor, was made a special order for three o'clock and thirty minutes p. m. this day.

Pending discussion, the hour of two o'clock having arrived, the consideration of Assembly bills by joint rules set for this hour was proceeded with.

SPECIAL FILE OF ASSEMBLY BILLS—THIRD READING OF BILL.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Passed on file temporarily.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Also: Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor.

Also: Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Also: Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Also: Senate Bill No. 165—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Also: Senate Bill No. 64—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

Also: Senate Bill No. 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia.

Also: Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Also: Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Also: Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, to furnish the same, and to improve the grounds, and to appropriate money therefor.

Also: Senate Bill No. 72—An Act to provide for a day of rest from labor.

Also: Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Also: Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Also: Senate Bill No. 105—An Act to prevent the use of false trade descriptions in the sale of goods, and to provide a punishment therefor.

Also: Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

Also: Senate Bill No. 109—An Act providing for the prevention of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases, and to provide penalties for the violation thereof.

Also: Committee Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

Also: Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Also: Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Also: Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 9—An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo, in trust for the use of the public.

Also: Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners.

Also: Senate Constitutional Amendment No. 14—A resolution proposing to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California, relating to the formation of new counties.

Also: Senate Bill No. 364—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of thirty thousand and under one hundred thousand inhabitants, and to provide for officers thereof,' approved March 18, 1885, and to provide for Clerks of Police Courts in cities of twenty-six thousand and under fifty thousand inhabitants," approved March 31, 1891, by inserting a new section, to be numbered six and one half, providing for prosecuting attorneys of Police Courts in cities having more than thirty thousand and under fifty thousand inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys.

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

RAGSDALE, Chairman.

SPECIAL FILE OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Passed on file.

Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Read third time.

MOTION.

Senator Maher moved that the bill be recommitted to Senator Voorheis, as a special committee of one, to amend as follows:

On line one, section one, after the word "of," strike out the word "eleven," and insert in lieu thereof the word "twelve."

Also: On line one, section one, strike out the word "nine," and insert in lieu thereof the word "one."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 426—An Act making an appropriation for the transportation of insane for the forty-third fiscal year—with instructions to amend, has had the same under consideration, and respectfully report the same back, amended as per instructions.

VOORHEIS, Committee.

Report of special committee adopted.

Bill ordered to print as amended, and to retain its place on file.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Read third time.

MOTION.

Senator Maher moved that the bill be recommitted to Senator Voorheis, as a special committee of one, to amend as follows:

On line one, section one, strike out the word "two," after the word "thousand," and insert in lieu thereof the word "four."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 427, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

Report of special committee adopted.

Bill ordered to print as amended, and to retain its place on file.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Passed on file.

SECOND READING OF BILL.

Substitute for Assembly Bill No. 144—An Act to prohibit prize fighting.

Senator Goucher moved to amend, as follows:

Amend section one, line two, by striking out the words "with or," after the words "prize fighting."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Broderick, Dunn, Flint, Goucher, Harp, Mitchell, Orr, and Williams—8.
NOES—Messrs. Arms, Bailey, Biggy, Burke, Campbell, Carpenter, Earl, Fay, Gesford, Hoyt, McGowan, Maher, Martin, Mathews, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—23.

Senator Dunn moved to amend, as follows:

By inserting after the word "participants," section one, line three, as follows: "*provided*, that this Act shall not be construed to prevent sparring or boxing at athletic exhibitions under the auspices of regularly organized athletic clubs."

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Dunn, Goucher, Harp, and Mitchell—4.
NOES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Gesford, Hoyt, McGowan, Maher, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—25.

Substitute for Assembly Bill No. 144 read second time and ordered to a third reading.

Senator Orr called up for consideration Assembly Bill No. 21, temporarily passed on file.

THIRD READING OF BILL.

Assembly Bill No. 21—An Act entitled an Act to amend section two thousand nine hundred and fifty-five of the Civil Code.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Denison, Dunn, Fay, Flint, Gesford, Goucher, Hart, Hoyt, Langford, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—27.
NOES—None.

Title read and approved.

President pro tem. R. B. Carpenter in the chair.

On motion of Senator Mathews, Assembly Bill No. 21 was ordered transmitted to the Assembly immediately.

SECOND READING OF BILLS.

Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin, of a deceased person, to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

Read second time, and ordered to a third reading.

Assembly Concurrent Resolution No. 14—Relative to petitioning and requesting the Supreme Court of the United States to hear and determine the action now before said Court, in which the State of California is plaintiff in error, and the San Pablo and Tulare Railroad Company is defendant in error, being cause No. 1467 upon the docket of said Court, which action involves the validity of the provisions of the Constitution of this State, relative to the taxation of railroads operated in more than one county.

The roll was called, and Assembly Concurrent Resolution No. 14 was adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Dunn, Earl, Fay, Flint, Gesford, Hoyt, Langford, McAllister, McGowan, Mahoney, Mathews, Mitchell, Ostrom, Seawell, Seymour, Whitehurst, Williams, and Wilson—23.

NOES—Messrs. Carpenter, Denison, and Hart—3.

Hon. J. B. Reddick, President of the Senate, in the chair.

POSTPONEMENTS.

On motion of Senator Ostrom, the further consideration of Assembly Concurrent Resolution No. 7, set for this hour, was reset as a special order for Monday next at three o'clock and thirty minutes P. M.

On motion of Senator Wilson, the consideration of Senate Bill No. 138, set as a special order for this hour, was reset as a special order for to-morrow (Saturday), immediately after the reading of the Journal.

SPECIAL ORDER—(RESUMED).

At three o'clock and thirty minutes P. M. the consideration of Assembly Bill No. 10 was resumed.

Upon the roll being ordered called on the adoption of the substitute submitted by the minority, Senator Ostrom moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary reported that Senator Martin was the only Senator absent.

The Sergeant-at-Arms was directed to bring before the bar of the Senate Senator Martin.

Senator Martin appeared before the bar in charge of the Sergeant-at-Arms, when, upon motion of Senator Carpenter, further proceedings under the call were dispensed with.

The President directed the Sergeant-at-Arms to open the doors.

The question then being on the motion of Senator Ostrom to adopt the minority substitute for Assembly Bill No. 10.

The roll was called, and the minority substitute rejected by the following vote:

AYES—MESSRS. Arms, Biggy, Burke, Dunn, Earl, Fay, Gesford, Hoyt, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—18.

NOES—MESSRS. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—22.

The question then recurring on the motion of Senator Carpenter to adopt the majority substitute for Assembly Bill No. 10.

The roll was called, and the majority substitute adopted by the following vote:

AYES—MESSRS. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—22.

NOES—MESSRS. Arms, Biggy, Burke, Dunn, Earl, Fay, Gesford, Hoyt, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—18.

While the roll was being called, and Senator McGowan's name was reached and called, he explained his vote as follows, and requested that the explanation go on record:

"I vote 'no' upon the adoption of the majority substitute of the Committee on Corporations, because I believe that it does not compel the payment of the full amount of taxes now due the State, and because I am in favor of the adoption of the substitute offered by Senator Seawell, because, by its provisions, it will compel the payment of all taxes due."

AMENDMENTS.

Senator Burke moved to amend the substitute, as follows:

By striking out of section one the words "eighteen hundred and eighty-four" wherever they occur therein, and inserting the following: "eighteen hundred and eighty-two."

The roll was called, and the amendment lost by the following vote:

AYES—MESSRS. Arms, Berry, Biggy, Burke, Dunn, Earl, Fay, Gesford, Hoyt, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—19.

NOES—MESSRS. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams—20.

Senator Carpenter offered the following amendment to the substitute, and moved its adoption.

Amend the Committee Substitute for Assembly Bill No. 10, as follows:

1. Add to section three the following:

"Provided, that if before such reassessment be made judgment shall have been given or entered in any Court of competent jurisdiction in favor of the people of the State, or any county therein, for the payment of the taxes claimed to be due for any year or years for which a reassessment of the property is in this Act provided, the taxes levied upon such reassessment for the year or years as to which judgment shall have been so entered, shall not become due or payable unless such judgment or judgments shall be

finally reversed by the Court of last resort; and if such judgment or judgments shall be appealed from, or shall be finally affirmed, the taxes involved therein shall be paid, and no liability shall thereafter exist for the payment of any taxes levied upon such reassessment for such year or years."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—27.

NOES—Messrs. Biggy, Dunn, Fay, Langford, McGowan, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—11.

Senator Carpenter offered the following amendment to the substitute, and moved its adoption:

Amend section five so that the same shall read as follows:

"SEC. 5. Upon the passage of this Act, all actions now pending in any of the Courts of this State to enforce the collection of any taxes alleged to be due upon any past assessment, or attempted assessment, of any of the properties embraced by the provisions of this Act, except cases in which judgment shall have been entered for the enforcement of the collection of such taxes, shall be suspended until one or more of said installments herein provided for shall become delinquent."

As an amendment to the amendment, Senator Burke moved to strike out all of section five of the bill.

The roll was called on the adoption of the amendment to the amendment, and the same was lost by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Dunn, Fay, Gesford, Langford, McAllister, McGowan, Martin, Mitchell, Ostrom, Seawell, and Whitehurst—14.

NOES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—26.

The question then recurring on the adoption of the amendment offered by Senator Carpenter.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—25.

NOES—Messrs. Arms, Biggy, Burke, Dunn, Fay, Gesford, Langford, McGowan, Martin, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—14.

Senate Committee Substitute for Assembly Bill No. 10 read second time, ordered printed and engrossed as amended, and on file for a third reading.

At four o'clock and forty-three minutes P. M. Senator Seawell moved to take a recess until seven o'clock and thirty minutes P. M.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Seawell, Simpson, Streeter, Whitehurst, and Wilson—26.

NOES—Messrs. Broderick, Dunn, Earl, Fay, Gesford, Langford, McGowan, Ostrom, Seymour, Voorheis, and Williams—11.

Whereupon, the President declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Everett was granted leave of absence for the remainder of the evening, on motion of Senator Broderick.

RESOLUTION—(OUT OF ORDER).

By Senator Broderick:

Resolved, That Ike Mooser be and he is hereby allowed mileage as Sergeant-at-Arms to the Committee on Public Buildings other than Prison Buildings during the investigation of the San Bernardino Asylum for the Insane, and the Controller is hereby directed to draw his warrant in favor of Ike Mooser for the sum of one hundred and seventeen dollars and sixty cents (\$117 60), and the Treasurer is directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 756—An Act relating to surveys of cities, towns, villages, and additions thereto, and providing for recording of maps and plats of such surveys.

Also: Senate Bill No. 714—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for the collection of costs of the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 707—An Act to amend an Act entitled "An Act to enable the Board of Supervisors, Town Council, Board of Aldermen, or other legislative body of any city and county, city, or town to obtain data and information from any corporation, company, or person supplying water to such city and county, city, or town, requiring such Boards, Town Council, or other legislative body, to perform the duties prescribed by section one, article fourteen, of the Constitution, and prescribing penalties for the non-performance of such duties," approved March 7, 1881, by adding thereto a new section, to be known as section eight and one half.

Also: Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 678—An Act to authorize and empower the Board of Supervisors of any city, or city and county, having more than one hundred thousand inhabitants, to close up and cause to be closed, any city cemetery or cemeteries, and to purchase another cemetery or cemeteries.

Also: Senate Bill No. 752—An Act to provide for the appointment of three additional deputies by County Recorders of cities and counties of more than one hundred thousand population.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the San Francisco Delegation.

Also: Assembly Bill No. 117—An Act to provide for the planting, maintenance, and

care of shade trees upon streets, lanes, alleys, courts, and places, within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Also: Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Also: Senate Bill No. 750—An Act authorizing Boards of Trustees, or other legislative authorities of municipal corporations owning public waterworks, to fix rates for water furnished, and to enforce payment of the same.

Also: Senate Bill No. 737—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by amending section four, in regard to the posting of notices of all street work before advertising for proposals or awarding of contracts.

Also: Senate Bill No. 716—An Act fixing the salary of City Clerks in cities having a population of over twenty-seven thousand and under fifty thousand inhabitants.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BAILEY, Chairman.

Senate Bills Nos. 678 and 752 re-referred to San Francisco Delegation.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 143—An Act to regulate the rate of interest in this State—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 143—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending section one thousand nine hundred and seventy, relating to the responsibility of employers—have had the same under consideration, and respectfully report the same back with a substitute, and recommend that the substitute do pass.

Also: Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Also: Assembly Bill No. 82—An Act to amend section one thousand three hundred and three, section one thousand three hundred and twenty-three, section one thousand three hundred and sixty-five, section one thousand three hundred and eighty-eight, section one thousand four hundred and thirty-nine, section one thousand five hundred and sixteen, section one thousand five hundred and seventeen, section one thousand five hundred and thirty-six, section one thousand five hundred and forty-five, section one thousand five hundred and forty-seven, section one thousand five hundred and forty-eight, section one thousand five hundred and fifty, section one thousand five hundred and fifty-one, section one thousand five hundred and fifty-two, section one thousand five hundred and fifty-three, section one thousand five hundred and fifty-four, section one thousand five hundred and fifty-seven, section one thousand five hundred and fifty-eight, section one thousand five hundred and sixty-five, section one thousand five hundred and ninety-two, section one thousand five hundred and ninety-seven, section one thousand five hundred and ninety-eight, section one thousand five hundred and ninety-nine, and section one thousand six hundred and eighteen, and to repeal section one thousand five hundred and eighteen, section one thousand five hundred and nineteen, section one thousand five hundred and twenty-two, section one thousand five hundred and twenty-three, section one thousand five hundred and twenty-four,

section one thousand five hundred and twenty-six, section one thousand five hundred and twenty-nine, section one thousand five hundred and thirty, section one thousand five hundred and thirty-one, section one thousand five hundred and thirty-two, section one thousand five hundred and thirty-three, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and thirty-nine, section one thousand five hundred and forty, section one thousand five hundred and forty-one, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, section one thousand five hundred and forty-four, section one thousand five hundred and forty-nine, and section one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as section one thousand five hundred and forty-six, section one thousand five hundred and fifty-four and one half, section one thousand five hundred and ninety-two, and section one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Also: Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

McGOWAN, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Assembly Bill No. 30—An Act to amend section fifteen of an Act relating to Sanitary Districts.

Also: Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

SEYMOUR, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 731—An Act to authorize the appointment of a Commission by the Governor for the purpose of selecting and suggesting a permanent site and location for an additional State prison—have had the same under consideration, and respectfully report the same back, and recommend that the substitute bill, as prepared by committee, do pass—An Act to authorize the appointment of a Commission by the Governor for the purpose of reviewing the laws governing the penal institutions of the State, and regulating the discipline thereof, and of selecting and suggesting a permanent site and location for an additional State prison.

Also: Senate Bill No. 663—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SEYMOUR, Chairman.

Senate Bill No. 663 re-referred to Committee on Finance.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 746—An Act requiring all State institutions to give preference to California products and the productions of California labor.

Also: Senate Bill No. 703—An Act to prevent persons, corporations, or companies discriminating against employes.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MAHER, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at Folsom State Prison, and making an appropriation therefor.

Also: Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 532—An Act to appropriate money to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 355—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying substitute do pass.

Also: Senate Bill No. 717—An Act for the relief of P. Begley—respectfully recommend that the author be permitted to withdraw it, as it is, in effect, a duplicate of Senate Bill No. 580, which was favorably reported by this committee on February 8, 1893.

VOORHEIS, Chairman.

Senator Earl was granted unanimous consent to withdraw Senate Bill No. 717.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

By Senator Seymour:

State of California, to Luke Kavanagh, Dr.:

To reporting and transcribing testimony taken before the Committee on State Prisons and Prison Buildings:

| | |
|--------------------------------------|---------|
| Three hundred and sixty folios | \$72 00 |
| Three per diems | 30 00 |

| | |
|-------------|----------|
| Total | \$102 00 |
|-------------|----------|

Resolved, That Luke Kavanagh be and he is hereby allowed the sum of one hundred and two dollars for services as shorthand reporter to Committee on State Prisons and Prison Buildings, and the Controller is hereby directed to draw his warrant for said sum, to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that said resolution do pass, and that the Controller be directed to draw his warrant in favor of E. C. Seymour, Chairman of the Committee on State Prisons and Prison Buildings, for the amount of one hundred and two dollars, said amount to be drawn upon the Contingent Fund of the Senate.

STREETER, Chairman.

The roll was called upon the adoption of the resolution, and the same was adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—30.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred resolution by Senator Carpenter, as follows:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of R. B. Carpenter, Chairman of Committee on Corporations, for the amount of one hundred and twenty-five dollars (\$125 00), for expenses incurred in the case of "reassessment," and that said warrant be drawn upon the appropriation for contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend said resolution do pass, and that the Controller be directed to draw his warrant in favor of R. B. Carpenter, Chairman of Committee on Corporations, for the amount of one hundred and twenty-five dollars (\$125 00), for expenses incurred in the examination of Assembly Bill No. 10, being Reassessment Bill before the Committee on Corporations, said warrant to be drawn upon the appropriation for the contingent expenses of the Senate.

STREETER, Chairman.

The roll was called upon the adoption of the resolution, and the same was adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

ON FORESTRY, YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, to whom was referred Senate Bill No. 728—An Act to create the office of State Forester, to provide for the protection of forests from fire, and to provide for the expenses thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FLINT, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Senate Bill No. 254—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 17, 1887, by amending sections fifteen and thirty thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

SEYMOUR, Chairman.

RESOLUTION.

By Senator Voorheis:

Resolved, That the provision of the Constitution relative to the time in which bills may be introduced be and the same is hereby suspended, and permission is hereby granted to introduce the following Senate Bills.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Earl, Fay, Flint, Gosford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees, as follows:

By Senator Voorheis: Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem

and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Referred to Committee on Finance.

Also: Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

Referred to Committee on Finance.

MOTION.

Senator Ostrom moved that Substitute for Senate Bills Nos. 157, 372, 373, and 441 be made a special order for to-morrow, immediately after reading of the Journal.

So ordered.

The rules calling for the consideration of the Senate general file for this hour, the Senate proceeded to consider the same, as follows:

SENATE GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

Passed on file.

Committee Substitute for Senate Bill No. 359—An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—Senator Broderick—1.

Title read and approved.

Senate Bill No. 547—An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking."

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hoyt, McAllister, Maher, Martin, Mitchell, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 75—An Act to amend sections three hundred and seven, three hundred and twelve, and three hundred and fourteen of the Civil Code.

Read third time.

The roll was called on its final passage.

Before the vote was announced, Senator Maher moved a call of the Senate.

So ordered

The roll was called, and the following Senators answered to their names.

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

ABSENT WITHOUT LEAVE.

From the roll call it appeared that the only members absent without leave were Senators Arms, Langford, and Seawell.

The Sergeant-at-Arms was thereupon directed to close the doors of the Senate.

On motion of Senator Ostrom, further proceedings under the call of the Senate were dispensed with, and the Sergeant-at-Arms was directed to open the doors.

The announcement of the roll call, called previous to the motion to have a call of the Senate, was as follows:

AYES—Messrs. Broderick, Campbell, Denison, Dunn, Fay, Ford, Hart, Hoyt, McGowan, Mahoney, Mitchell, Ragsdale, Voorheis, Williams, and Wilson—15.

NOES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Earl, Flint, Gesford, Goucher, Harp, McAllister, Maher, Martin, Mathews, Orr, Ostrom, Seymour, Shippee, Streeter, and Whitehurst—20.

Whereupon, the President announced that the Senate refused the final passage of Senate Bill No. 75.

Senator Maher having voted with the majority, then gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 75 was this day refused final passage.

MOTION.

At eight o'clock and fifty minutes P. M. Senator Hart moved to adjourn.

Lost.

WITHDRAWAL AND SUBSTITUTION—SECOND READING OF BILLS.

Senate Bill No. 136—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Senator Whitehurst was granted unanimous consent to withdraw Senate Bill No. 136 (No. 54 on file), and to substitute therefor on file Senate Bill No. 671.

Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Senator Whitehurst moved to amend, as follows:

By striking out of section one, all after the word "at" in line nine, printed bill, and inserting the following: "any and all elections held within the county, city and county, city, town, or district within which such elector resides."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 3—An Act establishing a commission for the revision of the laws.

SUBSTITUTIONS.

Senator Bailey was granted unanimous consent to withdraw Senate Bill No. 3 (No. 55 on file), and to substitute therefor Senate Bill No. 539 (No. 353 on file).

Senate Bill No. 539—An Act to appropriate money to pay funeral expenses, to provide tombstones, to sink a well, and make needed repairs in and about the "Women's Relief Corps Home" at Evergreen, in the State of California.

Passed on file.

Senate Bill No. 362—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges.

Senator Earl moved to substitute Senate Bill No. 504 (No. 244 on file) for Senate Bill No. 362 (No. 56 on file).

So ordered.

Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

The following committee amendments were submitted:

Amend by striking out the words "the person of" on line thirty, page two, of printed bill.

Adopted.

Also: Amend by striking out all of section two.

Adopted.

Bill read second time, ordered to engrossment and print as amended, and to a third reading.

PRESENTATION OF PETITION.

Senator Flint presented the following petition, with the request that it be printed in the Journal.

So ordered.

To the California House of Representatives of 1893:

We, the undersigned, citizens of the State of California, twenty-one years of age and over, most earnestly petition your honorable body to enact a law forbidding all Sunday traffic and work, as well as all coarse and noisy amusements, on that day of the week, making suitable exception for works of necessity and mercy, and for private work by those who religiously and regularly observe another day of the week by abstaining from labor and business on the same.

Signed by A. Widemann, and one hundred and fifty others.

REPORT OF STANDING COMMITTEE.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 763—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California at the World's Columbian Exposition, at Chicago, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages received from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

GEO. W. PECKHAM, Chief Clerk,
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted, and ordered transmitted immediately to the Senate, Substitute for Assembly Constitutional Amendment No. 7—Proposing an amendment to article thirteen of the Constitution, relating to revenue and taxation.

GEO. W. PECKHAM, Chief Clerk,
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 469, on motion of Senator Campbell, was ordered placed on the Assembly special file, and Substitute for Assembly Constitutional Amendment No. 7 was referred to the Committee on Constitutional Amendments.

SPECIAL FILE.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Passed on file.

Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Senate Bill No. 236—An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry, for the wages of station employes at Chico and Santa Monica.

Passed on file.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for the use of the State Printing Department.

Passed on file.

MOTION.

On motion of Senator Voorheis, the Senate declared to spend the remainder of the day with the first reading of bills on the special file.

RESOLUTION—(OUT OF ORDER).

By Senator Mahoney:

Resolved, That a committee of three members of the Committee on Commerce and Navigation be granted the privilege of visiting the harbor and harbor front of the city of San Francisco.

Senator Mahoney moved its adoption.

Senator Campbell moved as an amendment that the resolution be referred to Committee on Attachés, Contingent Expenses, and Mileage.

Lost.

The question recurring on the original motion of Senator Mahoney, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Biggy, Campbell, Carpenter, Denison, Fay, Ford, Goucher, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Seymour, Whitehurst, Williams, and Wilson—21.

NOES—Messrs. Berry, Burke, Flint, Harp, Orr, and Ostrom—6.

SUBSTITUTION.

Senator Mathews was granted unanimous consent to withdraw Senate Bill No. 623 (No. 4 on file), and to substitute therefor Senate Bill No. 670.

Senate Bill No. 623 withdrawn, and Senate Bill No. 670 substituted therefor on file.

FIRST READING OF SPECIAL FILE BILLS.

Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Read first time, and placed on file for second reading.

Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court, for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 741—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years

Read first time, and placed on file for second reading.

Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read first time, and placed on file for second reading.

Senate Bill No. 227—An Act entitled an Act to pay the claim of Sands W. Forman for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Read first time, and placed on file for second reading.

Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Read first time, and placed on file for second reading.

ADJOURNMENT.

At nine o'clock and twenty-six minutes P. M., on motion of Senator Goucher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, February 25, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Simpson.

APPROVAL OF JOURNALS.

The Journals of Saturday, February 18th, Monday, February 20th, Tuesday, February 21st, Thursday, February 23d, and Friday, February 24th, were approved.

LEAVE OF ABSENCE.

Senator Langford was granted leave of absence for the day, on motion of Senator Wilson.

Senator Seymour was granted leave of absence for the day, on motion of Senator Earl.

Senator Everett was granted leave of absence for the day, on motion of Senator Broderick.

Senator Mathews was granted leave of absence for the day, on motion of Senator Flint.

On motion of Senator Seawell, Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the

provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same—was ordered placed at the head of second reading (general) file.

SPECIAL ORDER—CONSIDERATION OF AMENDMENTS TO STANDING RULES OF THE SENATE.

On motion of Senator Voorheis, the above special order was postponed and made a special order for Monday next, immediately after reading the Journal.

SPECIAL ORDER—FIRST READING OF BILL.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read first time, and ordered on file for second reading.

SPECIAL ORDER—THIRD READING OF BILL.

Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Senator Simpson moved to make the further consideration of this bill the special order for Monday next immediately after reading the Journal.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Burke, Campbell, Denison, Flint, Hart, Maher, Martin, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Voorheis, and Williams—15.

NOES—Messrs. Arms, Berry, Biggy, Broderick, Carpenter, Dunn, Earl, Fay, Gesford, Harp, Hoyt, McAllister, McGowan, Mahoney, Mitchell, Streeter, and Wilson—17.

The bill not having yet been engrossed, Senator Mathews moved that it be recalled from the Committee on Engrossment and referred to the Committee on City, City and County, and Town Governments, to report back said bill on Tuesday next, and that it be then open to amendment.

So ordered.

Senator Mahoney moved that Substitute for Senate Bills Nos. 291, 183, and 123 be made a special order for Tuesday next, immediately after reading the Journal.

So ordered.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 138—An Act relating to interest and usury.

Senator Bailey moved to amend, as follows:

Amend, on line four of section two, after the word "prescribed:" "*provided*, it shall be lawful for cooperative building and loan associations, incorporated under the laws of this State, which loan their money to their shareholders only, and only in proportion to the amount of stock held by such shareholders, such proportion not to exceed the par value of the stock on which the loan is made, to make loans to such shareholders as shall offer the highest premium of any nature for such loan, and the giving and receiving of such premium, and the imposition and payment of fines for non-payment of dues, shall not be regarded as contrary to this statute and the laws of this State in regard to the rate of interest on money."

Adopted.

Senator Goucher moved a reconsideration of the vote whereby the above amendment was adopted.

So ordered.

The question then being on the adoption of the amendment offered by Senator Bailey.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bailey, Berry, Carpenter, Hart, Voorheis, and Whitehurst—6.

NOES—Messrs. Biggy, Broderick, Burke, Dunn, Earl, Fay, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Simpson, and Wilson—24.

Bill read second time, and ordered to engrossment, and to a third reading.

President pro tem. R. B. Carpenter in the chair.

MOTIONS.

On motion of Senator Hart, Senate Bill No. 67 was made a special order for Tuesday next at three o'clock and thirty minutes p. m.

On motion of Senator Goucher, Assembly Bill No. 36 was ordered placed at head of second reading file of Assembly Bills on Assembly special file.

REPORTS OF STANDING COMMITTEES.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Also: Senate Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Also: Committee Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Senate Bill No. 639—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Also: Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Also: Senate Bill No. 287—An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorces.

Also: Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

RAGSDALE, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Also: Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Also: Senate Bill No. 774—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison a building for the accommodation of the insane prisoners, and making appropriation therefor," approved March 19, 1889—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Goucher:

WHEREAS, Charles Robinson has kept the Senate gallery clean since the commencement of the session, and has acted as Porter, and has, up to the present time, received no compensation, except the payment received for service rendered during the temporary organization; therefore, be it

Resolved, That said Charles Robinson be allowed compensation for such service rendered at a per diem of four dollars, from the ninth of January to the eighteenth of February, the same to be paid out of the Contingent Fund of the Senate, and that the Controller be and is hereby directed to draw his warrant for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

PRESENTATION OF PETITIONS.

Senator Mitchell presented the following petition, with the request that it be printed in the Journal.

So ordered.

To the honorable members of the Senate of the State of California:

GENTLEMEN: We, the undersigned, employés engaged in the manufacture of cordage, do hereby pray that you will not pass the bill to establish a cordage factory at Folsom State Prison.

It will be the means of closing down the place where we are at present working, thereby throwing us out of employment, and as the labor market is already overcrowded, it will be difficult to obtain another situation, thereby working a great hardship on us.

We consider it would be of more benefit to the people to encourage honest labor instead of discouraging it by placing us in competition with convict labor, thereby tending to make more convicts.

W. O. Hammer, Casimir Erickson, William Short, A. W. Peach, J. Hopper, Jr., Edwin Pearson, M. Holmes, Jos. O'Brien, William Conway, Ernest Haigis, Robert Stewart, Thomas Anglasay, Eddie Sanckz, Thomas Shields, R. Conroy, Alfred Green, Thos. B. West, John Haley, William Rehg, A. Crouch, B. Griffin, D. Nyhen, Ben Kinck, William Swift, T. H. Harris, John Sullivan, Joseph Wales, Henry Schaefer, N. T. O'Reiley, Alphonso Paris, Peter Burke, Michael Crowley, George Wateran, George Scharetz, J. M. Carty, Gust. Willnee, Alfred Wiseman, Edward Ryan, Chas. Ruf, Charles Zahn, Jr., Rishiton I. Jones, Albert K——, Axel Nordstrom, Wallace Pearson, W. Kronholm, Thomas Stewart, John Wilson, Willie Stewart, Robert Swan, Deede Randhalm, William Burke, Thomas Mallon, Joe Walsh, Pat Duffy, J. B. Hulton, John Mona, Willie Williams, J. N. Mallon, Antone Scharetz, P. Sandberg, A. Hamman, J. FitzGibbons, O. Knobloch, Chas. Walters, H. Rinyster, William Anderson, John Brown, P. Hannon, E. Morrison, Wm. Seibert, C. Wagner, F. Runge, W. W. Harrington, R. Lincham, W. Drolette, P. Langan, Dan Gallagher, Tom Healy, W. McGoldrick, John Haley, Hanz Manani, W. J. Hass, Willie Waterman, Andrew Galvin, Joseph Conroy, Harry Freudenthal, Dan Duddy, Gus Vickell, Herman Rander, James F. Burke, John J. Hughes, John F. Danielson, John Conway, Charles W. Zahn, William Follmer, Wm. Galvin, E. Jensen, John T. Griffin, P. Johnston, Edwin Stone, Gus Sillemann, Annie Johnson, Maggie Murphy, Emma E. Coto, Gertie Zahn, Aida Bloch, Delia Duddy, Ruby Zahn, Annie M. Albers, Bee O'Rourke, Hannah Callahan, Maggie Callahan, Katie Fisher, Jennie Renders, Mary Lincham, Annie Dempsey, Mary Connors, Annie Vollandt, Maggie Connors, Alice Freudenthal, Annie Price, Lucy Shubert, Jennie Sanchez, Annie Pendiss, Mary Fagan, Nellie Burr, Clara Neale, Eva Parsons, Maggie O'Keefe, Geo. Sillemann, Geo. Sims, John Wellner, Henry Randhalm, Nicholas Weaver, Peter E. Sims, John Campbell, W. Smith, John S. Sullivan, T. Slite, Victor Erickson, Felis Kay, Joe Newman, Henry Hopper, James Sharkey, Alexander Duffy, Markey Bloch, Dan McArthur, John Floyd, Walter Jurey, John C. Hopper, Willie Sullivan, John O'Connor, Dan Herlichy, William Marshall, Carrie Arling, Maggie Daley, Lillie Pilman, Mrs. J. O'Leary, Mary Williams, Matilda Johnston, Jennie Johnston, Sarah McElroy, Katie Sullivan, N. Birmann, Mollie Daley, Mary Murray, Francis Graham, Mollie Dillon, Katie Wenther, Ada Freudenthal, Mammie Fisher, W. S. Spinney, Peter J. Smith, Henry Paddock, Frank Alberg, Walter Scharetz, Charles Malough, L. Freuz, P. G. Novidstroom, L. Scharetz, O. Scharetz, J. Alex. Campbell, Jos. B. Niderost, J. R. Peck, J. V. Campbell, Edw. Everett, B. F. Collins, M. F. Kopp, J. J. Galvin, T. F. O'Brien, Dan Meeley, D. Peterson, M. E. Ryan.

REPORT OF STANDING COMMITTEE—(RESUMED).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Tiley L. Ford, Chairman of the above committee, for the sum of five hundred and eleven dollars and sixty cents (\$511 60), as per above statement, said warrant to be so drawn upon the fund for the contingent expenses of the Senate, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called on the adoption of the resolution, and the same adopted by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Carpenter, Earl, Fay, Gesford, Goucher, Harp, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—22.

NOES—Messrs. Bailey, Burke, Campbell, Denison, Ostrom, and Voorheis—6.

Hon. J. B. Reddick, President of the Senate, in the chair.

RESOLUTION.

By Senator Hart:

Resolved, That the provision of the Constitution relative to the time in which bills may be introduced be and the same is hereby suspended, and permission is hereby granted to introduce a Senate joint resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

SENATE JOINT RESOLUTION.

By Senator Hart: Senate Joint Resolution No. 25—

Memorializing the Attorney-General and the Secretary of the Interior of the United States of America to locate one of the United States prisons, provided for by an Act of Congress March 3, 1891, within the State of California.

WHEREAS, The Congress of the United States did enact the following law:

“Chapter 529—An Act for the erection of United States prisons, and for the imprisonment of United States prisoners, and for other purposes.

“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney-General and Secretary of the Interior be and are hereby authorized and directed to purchase three sites, two of which shall be located as follows: One north and the other south of the thirty-ninth degree of north latitude, and east of the Rocky Mountains; the third site to be located west of the Rocky Mountains, and the same to be located geographically as to be most easy of access to the different portions of the country, and cause to be erected thereon suitable buildings for the confinement of all persons convicted of any crime whose term of imprisonment is one year or more at hard labor by any Court of the United States in any State, Territory, or district under the jurisdiction of the Department of Justice of the United States, and the plans, specifications, and estimates of such sites and buildings shall be previously made and approved according to law, and shall not exceed the sum of five hundred thousand dollars each.

“SEC. 2. That the sum of one hundred thousand dollars is further appropriated, to be expended under the direction of the Attorney-General, in the fitting of workshops for the employment of the prisoners; *provided, however*, that the convicts be employed exclusively in the manufacture of such supplies for the Government as can be manu-

factured without the use of machinery, and the prisoners shall not be worked outside the prison inclosure.

"SEC. 3. That the Attorney-General and the Secretary of the Interior be and are hereby authorized to select the State, District, or Territory in which to locate and erect the prisons; *provided*, that the consent of the authorities of such State, District, or Territory be first obtained.

"SEC. 4. That the control and management of said prisons be vested in the Attorney-General, who shall have power to appoint a Superintendent, Assistant Superintendent, Warden, Keeper, and all other officers necessary for the safe-keeping, care, protection, and discipline of such United States prisoners. He shall also have authority to promulgate such rules for the government of the officials of said prisons and prisoners as he may deem proper and necessary.

"SEC. 5. That the transportation of all United States prisoners convicted of crime against the laws of the United States in any State, District, or Territory, and sentenced to terms of imprisonment in a penitentiary, and their delivery to the Superintendent, Warden, or Keeper of such United States prisons, shall be by the Marshal of the District or Territory where such conviction may occur, after the erection and completion of said prisons. That the actual expenses of such Marshal, including transportation and subsistence, hire, transportation, and subsistence of guards, and the transportation and subsistence of the convict or convicts, be paid, on the approval of the Attorney-General, out of the Judiciary Fund.

"SEC. 6. That every prisoner when discharged from the jail and prison shall be furnished with transportation to the place of his residence within the United States at the time of his commitment under sentence of the Court, and if the term of his imprisonment shall have been for one year or more, he shall also be furnished with suitable clothing, the cost not to exceed twelve dollars, and five dollars in money.

"SEC. 7. That this Act shall not apply to minors, who, in the judgment of the Judges presiding over United States Courts, should be committed to reformatory institutions; *and provided*, that nothing in this Act shall be construed as prohibiting the Courts of the United States from sentencing to or confining prisoners, either civil or military, in the United States Military Prison at Fort Leavenworth, Kansas.

"SEC. 8. That the said Attorney-General, in formulating rules and regulations for the conduct of said prisons, is hereby authorized to establish rules for commutation for good behavior of said convicts, but not for a longer time than two months for the first year's imprisonment, and two months for each succeeding year.

"SEC. 9. That the Attorney-General shall be authorized to designate to which of said prisons persons convicted in such States or Territories shall be carried for confinement; *provided*, that in the construction of the prison buildings provided for in this Act there shall be such arrangement of cells and yard space as that prisoners under twenty years of age shall not be in any way associated with prisoners above that age, and the management of the class under twenty years of age shall be as far as possible reformatory." (Approved March 3, 1891.)

AND WHEREAS, The Attorney-General and Secretary of the Interior have not as yet located a site west of the Rocky Mountains, as provided for in the law above quoted; and whereas, the State of California is geographically so located to be most easy of access to the country and district west of the Rocky Mountains; and whereas, a site at or near Folsom, Sacramento County, California, with an abundance of granite and other building material, and water for power and other purposes, can be obtained cheaply, and with climatic and other conditions especially favorable, and peculiarly adapted to the maintenance of a prison of the character contemplated in the said Act; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That the consent of the State of California be given to the Government of the United States for the establishment of a United States prison within the limits of this State; and be it

Resolved, That the Attorney-General and Secretary of the Interior be and are hereby requested to locate one of the said United States prisons at or near Folsom, Sacramento County, within the limits of this State, in accordance with the Act of Congress hereinbefore quoted; and be it

Resolved, That his Excellency the Governor be and he is hereby requested to forward to the Attorney-General and Secretary of the Interior of the United States a copy of this resolution.

Senator Hart moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Orr, Ostrom, Ragsdale, Shippee, Simpson, Voorheis, Williams, and Wilson—25.

NOES—None.

Senator Hart moved that the above resolution be immediately transmitted to the Assembly.

So ordered.

RESOLUTION.

By Senator Hoyt:

Resolved, That Senate Bill No. 635 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 635 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—28.
NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILL.

Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—26.
NOES—Messrs. Arms, Biggy, Dunn, Fay, Gesford, Martin, Mathews, and Mitchell—8.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Burke gave notice that he would on Monday next move a reconsideration of the vote whereby Senate Bill No. 635 was on this day finally passed.

RESOLUTION—(OUT OF ORDER).

By Senator Arms:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant in favor of C. S. Arms, in the sum of four hundred and seventy dollars and forty cents, to pay the persons hereinafter mentioned, for mileage in visiting the asylum for insane persons located at San Bernardino, California, heretofore appointed from Committee on Public Buildings, under a resolution of this Senate, and that the Treasurer of State is hereby authorized to pay the same, the said amount to be paid out of the Contingent Fund of the Senate: To Senator Arms, one hundred and seventeen dollars and sixty cents; to Senator Gesford, one hundred and seventeen dollars and sixty cents; to Senator Mathews, one hundred and seventeen dollars and sixty cents; to Senator Martin, one hundred and seventeen dollars and sixty cents.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed: Substitute for Committee Substitute for Senate Bills Nos. 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

RAGSDALE, Chairman.

MOTION.

On motion of Senator McAllister, Assembly Bill No. 162 was re-referred to Committee on Judiciary.

Senator Earl in the chair.

Senator Ostrom called up for consideration Substitute for Committee Substitute for Senate Bills Nos. 157, 372, 373, and 441, set as a special order for consideration this day immediately after the reading of the Journal.

THIRD READING OF BILL.

Substitute for Committee Substitute for Senate Bills Nos. 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Read third time.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called on the final passage of the Substitute for Committee Substitute for Senate Bills Nos. 157, 372, 373, and 441, and the same passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Harp, Hart, Hoyt, McAllister, Martin, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—26.

NOES—None.

Title read and approved.

POSTPONEMENT.

On motion of Senator Maher, the reconsideration of the vote whereby Senate Bill No. 75 was refused final passage, was made a special order for Tuesday next immediately after the reading of the Journal.

REPORT OF STANDING COMMITTEE.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 18, 1893.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 338—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State—have had the same under consideration, and respectfully report the same back with a substitute, and recommend that the substitute do pass.

VOORHEIS, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No.

188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, approved March 20, 1891,'" by amending sections one, eleven, and twelve.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fourth day of February, passed Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Also: Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Also: Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Also: Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

Also: Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fourth day of February, respectfully refused passage to Senate Bill No. 569—An Act to add a new section to the Penal Code of the State of California, to be known as and numbered section three hundred and twenty-seven, in regard to lotteries.

Also: Senate Bill No. 80—An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 188 referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Assembly Bills Nos. 688 and 734 referred to Committee on Finance.

Senate Bills Nos. 62, 401, and 393 ordered to enrollment.

SPECIAL FILE—THIRD READING OF BILL.

Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

Senator Seawell was granted unanimous consent to withdraw Senate Bill No. 227.

SPECIAL FILE—(RESUMED).

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Passed on file.

Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Passed on file.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for the use of the State Printing Department.

Passed on file.

Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Senate Bill No. 304—An Act making an appropriation for the erection of buildings, and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom.

Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Senator Ostrom moved that the above three bills be made special orders for Tuesday next at three o'clock and thirty minutes P. M.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Dunn, Earl, Fay, Harp, Hoyt, McAllister, Martin, Ostrom, Ragelate, Seawell, Shippee, Whitehurst, and Wilson—17.

NOES—Messrs. Burke, Carpenter, Denison, Orr, Seymour, and Voorheis—6.

Senate Bill No. 327—An Act to appropriate money to pay the interest on State bonds, belonging to the University of California, until the State may elect to pay the principal of said bonds.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 659—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Voorheis was granted unanimous consent to withdraw Senate Bill No. 659 (No. 12 on file), and to substitute therefor Assembly Bill No. 720, they being identical bills.

The history of Senate Bill No. 659 is as follows: Bill read first time.

Senate Bill No. 659 withdrawn, and Assembly Bill No. 720 substituted therefor on file.

Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Read second time, and ordered to a third reading.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Arms was granted a leave of absence for the day, on motion of Senator Campbell.

Senator Ford was granted a leave of absence for the day, on motion of Senator Simpson.

SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 660—An Act to provide for the payment of interest on outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake,

been withheld therefrom, and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court, for the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 741—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 721—An Act to appropriate money to pay the claim of Mrs. Louise Rienzi.

Passed on file.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Passed on file.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Passed on file.

Senate Bill No. 720—An Act to appropriate money to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

The following committee substitute was read and adopted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 733.

An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred thousand dollars, or so much thereof as may be necessary, is appropriated out of the money in the State Treasury not otherwise appropriated, to be paid to the Trustees of the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, to be by them expended as follows: For the construction and erection of the following buildings and improvements, to be made upon the lands belonging to the State at Whittier, aforesaid, and appertaining to said school, and furnishing and equipping the same, as follows, to wit: For Commissary's warehouse and office, bakery and kitchen, to be constructed south of and adjoining the administration building, and to be connected therewith by a covered way; for cow and hay barn; for buildings and furnishing for girls' department, including two buildings for general purposes, dormitories, etc., and one building for instructing in trades and employments; for shelter buildings; for additions to electric plant; for paying architect's fees and for supervision of construction; for purchasing of fruit trees for planting the lands; for purchase of books and current periodicals for the boys' department for the forty-fifth and forty-sixth fiscal years; for the purchase of water and distributing the same.

SEC. 2. The Controller of State is hereby authorized and directed to draw his warrants for said amounts, upon the demand of the Trustees of the said school, and the State Treasurer is hereby authorized and directed to pay the same.

SEC. 3. This Act shall take effect and be in force from and after its passage.

Substitute bill read second time, ordered printed and engrossed, and to a third reading.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Passed on file.

Senate Bill No. 608—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution," approved March 2, 1891.

Senator Gesford moved to amend, as follows:

Amend by striking out word "second" on line five, and all of line five following word "classes," and words "eight, article eleven of the Constitution," on line six, section one of printed bill; also, strike out all of line twelve following word "however," and lines thirteen, fourteen, and fifteen, and syllables "vided," and word "further," on line sixteen of section one.

Adopted.

Bill read second time, ordered printed and engrossed as amended, and to a third reading.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Denison was granted unanimous consent to withdraw Senate Bill No. 150 (No. 32 on file), and to substitute therefor Senate Bill No. 208 (No. 189 on file).

The history of Senate Bill No. 150 is as follows: Bill read first time.

Senate Bill No. 150 withdrawn, and Senate Bill No. 208 substituted therefor on file.

The hour of two o'clock having arrived, the consideration of Assembly bills by joint rules set for this hour was proceeded with.

SPECIAL FILE OF ASSEMBLY BILLS—THIRD READING OF BILLS.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Passed on file.

Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

Passed on file temporarily.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

Passed on file temporarily.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Passed on file.

Substitute for Assembly Bill No. 144—An Act to prohibit prize fighting.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Denison, Earl, Fay, Gesford, Hart, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—25.

NOES—Messrs. Broderick, Harp, Mahoney, and Williams—4.

Title read and approved.

Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Gesford, Harp, Hart, McAllister, McGowan, Maher, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—26.
NOES—Senator Orr—1.

Title read and approved.

Assembly Bill No. 84—An Act to authorize the husband or wife, or next of kin of a deceased person, to collect and receive of any bank any deposit in such bank when the same does not exceed the sum of five hundred dollars.

Read third time, and final passage refused by the following vote:

AYES—Messrs. Bailey, Berry, Denison, Dunn, Gesford, Harp, Hart, Maher, Martin, Ragsdale, Voorheis, and Williams—12.

NOES—Messrs. Burke, Campbell, Carpenter, Earl, Fay, McAllister, McGowan, Mitchell, Orr, Ostrom, Seawell, Shippee, Simpson, Whitehurst, and Wilson—15.

SECOND READING OF BILLS.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Passed on file, on motion of Senator Burke.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Re-referred to Committee on Judiciary, on motion of Senator Earl.

Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

President pro tem. R. B. Carpenter in the chair.

Assembly Bill No. 71 read second time, and ordered on file for third reading.

Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read second time, and ordered to a third reading.

Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

Senator Earl moved to amend, as follows:

By striking out of section three, line one, the words "and recorded," after the word "filed."

Adopted.

Also:

By striking out of section four, line two, the words "and recorded," after the word "filed."

Adopted.

Read second time, ordered printed as amended, and to a third reading.

Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Read second time, and ordered to a third reading.

LEAVE OF ABSENCE.

Senators Biggy and Earl, upon request, were granted a leave of absence for the remainder of the day.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Read second time, and ordered to a third reading.

Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, on assignments for benefit of creditors.

Senator Mahoney moved to amend, as follows:

By striking out of section one, line five, the word "actors," and on line six, same section, strike out the word "or," and after word "person" insert the following: "or any other person who renders services or performs work."

Adopted.

Read second time, ordered printed as amended, and to a third reading.

Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in estates of deceased persons.

Senator Mahoney moved to amend, as follows:

By striking out of section one, line four, the word "actor" and the word "and," and inserting the following after the word "laborer," line four: "or any other person who renders services or performs work."

Adopted.

Read second time, ordered printed as amended, and to a third reading.

Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in cases of executions and attachments.

Senator Mahoney moved to amend, as follows:

By striking out of section one, line four, the word "actors," and inserting the following after the word "laborers," line five: "or any other person who renders services or performs work."

Adopted.

Read second time, ordered printed as amended, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 1—An Act to amend section sixty of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of

fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor.

Also: Senate Bill No. 11—An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets or public highways of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government at all times, while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services in cities, and cities and counties having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Also: Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Also: Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Also: Senate Bill No. 230—An Act to amend section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Also: Senate Bill No. 428—An Act to repeal section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women.

RAGSDALE, Chairman.

JOINT RESOLUTION.

Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

The roll was called upon the adoption of the resolution, with the following result:

AYES—Messrs. Burke, Carpenter, Denison, Fay, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—20.

NOES—None.

ADJOURNMENT.

Whereupon, at three o'clock and forty minutes P. M., the President declared that it appeared from the roll call that no quorum was present and voting.

He thereupon declared the Senate adjourned until Monday next, at two o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, February 27, 1893. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Orr.

POSTPONEMENT.

On motion of Senator Voorheis, the special order set for this hour, viz., the consideration of amendments to standing rules of the Senate, was postponed until the business called for by the joint rules be disposed of.

LEAVE OF ABSENCE.

Senator Arms was granted a leave of absence for the day, on motion of Senator Ford.

On request, Senator Biggy was granted temporary leave of absence.

The hour of two o'clock having arrived, the consideration of Assembly bills by joint rules set for this hour was proceeded with.

SPECIAL ASSEMBLY FILE—SECOND READING OF BILLS.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read second time, and ordered to a third reading.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Passed on file.

Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Passed on file.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Passed on file, at request of Senator Burke.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Williams, and Wilson—31.

NOES—Mr. Martin—1.

Title read and approved.

Assembly Bill No. 227—An Act amending sections one thousand five hundred and seventy-seven and one thousand five hundred and seventy-eight of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Denison, Dunn, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Streeter, Whitehurst, and Williams—27.

NOES—Mr. Carpenter—1.

Title read and approved.

Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purposes of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto before such maps are filed and recorded.

Passed on file.

Assembly Bill No. 69—An Act to amend section one thousand six hundred and sixty-eight of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure,"

relating to proceedings for the distribution of the estates of deceased persons.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Burke, Campbell, Denison, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Assembly Bill No. 112—An Act to amend section one hundred and sixty-four of the Civil Code of the State of California, relating to conveyances of real property by married women, and limiting the time in which to commence actions for recovery of community property by husbands.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Dunn, Earl, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—Messrs. Bailey, Broderick, Fay, and McAllister—4.

Title read and approved.

Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, on assignments for benefit of creditors.

Passed on file.

Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in estates of deceased persons.

Passed on file.

Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in cases of executions and attachments.

Passed on file.

Assembly Joint Resolution No. 7—Relative to the election of United States Senators.

The roll having been called on the adoption of this resolution on a previous day, the same showing no quorum present and voting, a new roll call was ordered, whereupon the resolution was adopted by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Burke, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—Messrs. Carpenter, McAllister, Ragsdale, and Seawell—4.

EXPLANATION.

Senator Seawell gave the following explanation of his vote, and, by request, it was ordered printed in the Journal:

"I vote 'No' on Assembly Joint Resolution No. 7, on the ground that at the last election the question was submitted to the people and they decided by an overwhelming majority that they were in favor of the

election of United States Senators by direct vote of the people. The Governor transmitted the vote so had to the representatives of this State in Congress, and to the executive department of every State in the Union. Any expression of this body against the wish of the people, as so expressed, would offend our sense of a proper discharge of representative functions. Our assent to and concurrence in the will of the people can add nothing to the force of this positive expression. I am in favor of the spirit of the resolution, but not in the method of such legislative expression."

Assembly Joint Resolution No. 9—Relative to foreign immigration to the United States.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hoyt, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—Messrs. Arms, Mahoney, Martin, and Williams—4.

Assembly Joint Resolution No. 10—Relating to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, and San Benito Counties.

AMENDMENT.

Senator Flint moved to amend, as follows:

By striking out of first resolution, line two of printed bill, the word "assigned," and insert in lieu thereof the words "or assigns."

Adopted.

The roll was called, and Assembly Joint Resolution No. 10, as amended, adopted by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Assembly Joint Resolution No. 11—Relative to a public building at Eureka.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Assembly Joint Resolution No. 19—Relative to a public building at Visalia.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Carpenter, Denison, Earl, Everett, Fay, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Assembly Joint Resolution No. 17—Relative to the examination or survey of the waters of the river system tributary to the bay of San Francisco.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Everett, Fay, Flint, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe the Government.

CALL OF THE SENATE.

Before the roll was called upon the adoption of the resolution, Senator Carpenter moved a call of the Senate.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

ABSENT WITHOUT LEAVE.

From the roll call it appeared that the only member absent was Senator Earl.

The Sergeant-at-Arms was thereupon directed to close the doors of the Senate.

On motion of Senator Ostrom, further proceedings under the call of the Senate were dispensed with, and the Sergeant-at-Arms was directed to open the doors.

The question then being on the adoption of Assembly Joint Resolution No. 8.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Mahoney, Martin, Mitchell, Orr, Ostrom, Seawell, Simpson, Whitehurst, and Wilson—25.

NOES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Hart, Maher, Ragsdale, Seymour, Streeter, Voorheis, and Williams—13.

NOTICE OF RECONSIDERATION.

Senator Mahoney gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Joint Resolution No. 8 was this day adopted.

LEAVE OF ABSENCE.

At three o'clock and thirty minutes P. M., on request, Senator Ford was granted a leave of absence for one hour.

SPECIAL ORDER.

Senator Voorheis called up the special order set for this hour, three o'clock and thirty minutes P. M.—consideration of amendments to standing rules of the Senate.

Senator Voorheis moved to amend the standing rules of the Senate as follows:

First—All bills making an appropriation for State institutions, all bills for State purposes, of all character, all deficiency bills which have been approved by the State Board of Examiners, the General Appropriation Bill, the Tax Levy Bill, the County Government Bill, all bills pertaining to the public schools, the general road law, bills amending the general election law, constitutional amendments, and all joint and concurrent resolutions shall be placed on Urgency File, and shall be considered to the exclusion of all other business, between the hours of ten o'clock and thirty minutes A. M. to twelve o'clock M. of each day.

Second—On each day, at the hour of three o'clock and thirty minutes P. M. the Secretary shall call the roll of the Senate, and each Senator shall then give the number of a bill which he desires to be placed under the suspension of the Constitution; when said roll is called, and all such numbers are given, a general resolution suspending the Constitution as to all such bills shall be introduced and voted upon; *always provided*, that no bill shall be placed on said file, or under such suspension, if, when the number thereof is called, any six (6) Senators, object thereto. In case of such objection the Senator whose bill is objected to shall be allowed to select another bill to which there is no such objection. When such suspension is carried, and such file made up therefrom, the bills thereon shall thereupon be considered in the order in which they are placed on such file. No further roll call shall be called for the purpose hereinabove mentioned, until the file so made up is completed, and in case such file is not completed, it shall be the regular order of each day from three o'clock and thirty minutes P. M. to the evening recess.

Also: That Rule 8½ be abolished.

The roll was called, and the amendments to the rules were adopted as a whole by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, and Williams—35.

NOES—None.

Senator Burke called up the following special order: The reconsideration of the vote whereby Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers—was finally passed on Saturday last, and moved that it be made the special order for consideration on to-morrow immediately after the reading of the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Flint, Gesford, Goucher, Harp, Martin, Mathews, Mitchell, Orr, Seawell, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—23.

NOES—Messrs. Berry, Broderick, Earl, Everett, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Ostrom, Ragsdale, Seymour, Williams, and Wilson—15.

Senator Voorheis moved that the reconsideration of the vote whereby Senate Bill No. 133 was refused passage, already set for this hour, be postponed and made a special order for Thursday next immediately after the reading of the Journal.

So ordered.

Senator Orr moved that the reconsideration of the vote whereby Senate Bill No. 323 was passed on February 20, 1893, already set for this hour, be postponed and made a special order for Thursday next immediately after the reading of the Journal.

So ordered.

Senator McAllister moved that Senate Bill No. 38 be made a special order for this evening at nine o'clock P. M.

So ordered.

MINORITY REPORT OF COMMITTEE ON CONSTITUTIONAL AMENDMENTS.

The following minority report of the Committee on Constitutional Amendments was submitted:

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: The undersigned, members of your committee to which was referred Senate Constitutional Amendment No. 8, hereby respectfully dissent from the majority report made thereon, and beg leave to render a minority report herein, as follows:

We call attention to the fact that the evidence adduced before the committee refers chiefly, if not exclusively, to one portion only of the proposed amendment, viz.: That relating to the adoption of the schedule of freights and fares, designated therein as the "California Distance Tariff."

The testimony shows, in our judgment, it would be unwise and detrimental to the public welfare to make this tariff a part of the Constitution. While the maximum rates of fare and freight therein set forth would doubtless be fair and reasonable to many of the roads operated within this State—notably those of the Southern Pacific system—nevertheless, there are a number of shorter lines of vital importance to the people they serve which would be greatly injured, if not absolutely ruined, if compelled to adopt such rates. A careful review and consideration of the evidence leads us to believe that it would be impossible to frame a rigid uniform tariff for all, or any class of roads within this State which would deal fairly with these properties, or which would not be injurious to the public interests. There is such disparity in the cost of construction, the operating and fixed expenses, and the earnings of the various roads within this State that any tariff which would be just and reasonable for one road and just and fair to the public would be so injurious as to bankrupt another less favorably situated. To this extent we agree with the majority report of your committee.

But as to that part of the amendment which provides for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, we think the testimony, in so far as it touches that point at all, confirms the general conviction already formed by the public, that those sections should be repealed and the Railroad Commission abolished. Twelve years of experience with this constitutional commission has demonstrated the fact that it is worse than useless. It has utterly failed to perform the functions for which it was created. Unjust discriminations in charges for transportation continue to be made between places and persons for the same classes of freight by the railroad companies, with no attempt on the part of the Commission to correct such evils. Unjust and exorbitant rates continue to be charged for the transportation of the products of this State upon the well-known principle adopted by the railroad companies of exacting all the traffic will bear, without a protest from the Commission. The thirteenth annual report of this Board, the report on the investigation of said Commissioners, discloses the fact that they have not only failed, neglected, and refused to perform their duties, but that they are incompetent and have not tried to qualify themselves for the position. They seem to have made no effort to correct the abuses, for the correction of which their office was created. They have only added to the burdens already borne by the public, at least to the extent of their salary and the expense incurred in making the discovery of their inefficiency.

All this, the majority report virtually admits, but with fine irony it lays the blame upon the people in selecting unfit men for Commissioners. To this we cannot agree. We believe that their selection has been secured by the same power which seeks to retain them in office, a power which, we regret to say, seems abundantly able to thwart the will of the people whenever it is its interest to do so. We protest against further expenditure on the part of the State to retain a Commission in the interest of this power; we cannot believe it is any "easier for the people to select three fit men for the Commission than one hundred and twenty fit men for the Legislature." That is a reflection which we are not prepared to admit.

We therefore recommend the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, and that the regulation of freights and fares be relegated to the Legislature.

BART BURKE.
J. H. SEAWELL.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT: Your committee on memorial services in commemoration of the death of Hon. James G. Blaine, respectfully report that under and in pursuance of the action of the Senate, and in conjunction with the Assembly committee, certain debts, as evidenced by the bills hereunto attached, were contracted, viz.:

| | |
|---|----------|
| Carriage hire..... | \$5 00 |
| Printing..... | 16 25 |
| Music..... | 160 00 |
| Decorating..... | 25 00 |
| Cleaning Assembly Chamber, etc..... | 15 00 |
| Postage, etc..... | 10 00 |
| Chairs—removing, handling, and expressing same..... | 25 00 |
| Total..... | \$256 25 |

The item for chairs, removal, handling, and expressing same was originally for fifty dollars, but the committee considered that the sum of twenty-five dollars was a fair and considerate sum therefor, hence the same was reduced as herein reported, and ask that the action of your committee therein be indorsed. Your committee also recommend the adoption of the following resolution, viz.:

Resolved, That the Controller is hereby directed to draw his warrant in favor of Senator Maher, upon the appropriation for the contingent expenses of the Senate, for the sum of one hundred and twenty-eight dollars and twelve and one half cents (\$128 12½), said sum being for one half of the amount as contracted by your committee.

MAHER, Chairman.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL ORDER.

Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners.

The roll was called, and the resolution lost by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Dunn, Earl, Fay, Gesford, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Seawell, Whitehurst, and Wilson—18.

NOES—Messrs. Broderick, Campbell, Carpenter, Denison, Everett, Flint, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Orr, Ostrom, Ragsdale, Scymour, Shippee, Simpson, Streeter, Voorheis, and Williams—21.

EXPLANATION.

Senator Goucher, who voted “no,” in explanation of his vote, called for the following minority report of special committee appointed to investigate the Railroad Commissioners, said report having been filed by him. He stated that his views were the same now, and asked that it be reprinted in the Journal.

So ordered.

MINORITY REPORT.

I have not signed either of the reports that have been presented by the special committee appointed to investigate the affairs of the Railroad Commission. In the first place, I positively assert that I do not know anything in regard to the details necessary to prepare a proper schedule of freights by which the railroads of the State shall be governed, and I do not believe a single one of my colleagues on the committee occupy any different position in that regard. To arrive at a just conclusion in regard to a matter of that kind requires the study of a lifetime, and the man to properly handle the intricacies of the situation must have received his education in railroad matters, so to speak, from the ground up. It requires great intelligence, years of practice, a thorough association with the multifarious demands which an enterprise of that nature entails, and no man, unless he possesses the proper qualifications to enable him to deal justly with the people in connection with those duties which are imposed upon a Railroad Commission, should undertake to judge as between the people and those Commissioners.

The report of the majority of my colleagues is to the effect that one of the Commissioners has been adjudged to be derelict in duty and incompetent, while the other two are condemned for incompetency. Incompetency is a question as to the degree of one's ability to perform any duty. Incompetency may arise from inability to perform, not from any laches on the part of the Commissioner, but from the difficulty of meeting surrounding circumstances; and right here I desire to say one of the Commissioners has been adjudged derelict in his duty and incompetent to perform it properly, and yet this same Commissioner has been in office six years—for four years he performed the duties of a Railroad Commissioner, representing the people of a very large district of the State, who, if he has been guilty of marked dereliction of duty and given evidence

of gross incompetency, never would have reelected him to the same position, which they did two years ago, and by a most decided majority. They had four years of time in which to experience the justice or injustice of his action as Railroad Commissioner, and that they were entirely satisfied that he was just and upright in the performance of his duty, his reelection is in evidence.

Besides that incompetency which springs from lack of ability, there is another kind of incompetency, which may arise from restraints or improper influences resting upon the public officer; but no evidence has been adduced tending to show anything corrupt among the Commissioners. There may be a belief, widespread, to the effect that such influences are upon them, or upon some of them, but neither this committee nor the Senate can be justified in pronouncing such incompetency on mere suspicions or beliefs not founded upon testimony, and hence I dismiss from further consideration this branch of the investigation. As to whether the Commissioners exercise their full powers under the Constitution, is probably a matter of discussion, but I do not believe the Commissioners have exhausted their powers, yet the same complaint doubtless applies to nearly all public officers.

In dealing with a matter of such vast importance to the people of the State, my judgment is, that experts on the proposition advanced should be the ones to make inquiry as to the details leading up to a proper conclusion. I cannot consent to condemn them and deprive them of their official position upon what has been adduced by the special committee appointed by the Senate to investigate the Railroad Commissioners. Without a more explicit and decided presentation of facts, I must dissent, and emphatically so, from the report presented by a majority of my colleagues on the committee, and therefore, I recommend that the resolutions be not adopted, and that the question be relegated to the people at the next election.

GEO. G. GOUCHER,
Of Special Committee.

NOTICE OF RECONSIDERATION.

Senator Ostrom gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Concurrent Resolution No. 7—Relative to investigating the Railroad Commissioners—was this day refused adoption by the required two-thirds vote of all the members elected to the Senate.

REPORTS OF STANDING COMMITTEES.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EVERETT, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, or cities, and cities and counties of fifty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BAILEY, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 18—Relating to the Judiciary Department.

Also: Assembly Constitutional Amendment No. 7—To amend article thirteen of the Constitution.

Also: Assembly Constitutional Amendment No. 12—Relative to land ownership.

Have had the same under consideration, and respectfully report the same back, and recommend that they each do be adopted.

And said committee has also had under consideration Senate Constitutional Amendment No. 19—Relating to revenue and taxation—and recommend the same be not adopted, because the same proposition is covered by Assembly Constitutional Amendment No. 7, aforesaid.

EARL, Chairman.

ON EDUCATION AND PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Education and Public Morals, to whom was referred Senate Bill No. 228—An Act to amend section three hundred and thirty of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming—have had the same under consideration, and respectfully report the same back without recommendation.

HART, Chairman.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 430—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Also: Senate Bill No. 429—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Also: Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Also: Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Also: Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said board, and making an appropriation for his salary.

Also: Committee Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1884, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

RAGSDALE, Chairman.

ON FORESTRY, YOSEMITE VALLEY AND MARIPOSA BIG TREE GROVE, AND FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Forestry, Yosemite Valley and Mariposa Big Tree Grove, and Fish and Game, to whom was referred Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

FLINT, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books for the forty-fourth fiscal year.

Also: Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort—have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections one, eleven, and twelve—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SHIPPEE, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 24, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 464—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

STREETER, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant in favor of C. S. Arms, in the sum of four hundred and seventy dollars and forty cents, to pay the persons hereinafter mentioned, for mileage in visiting the asylum for insane persons located at San Bernardino, California, heretofore appointed from Committee on Public Buildings, under a resolution of this Senate, and that the Treasurer of State is hereby authorized to pay the same, the said amount to be paid out of the Contingent Fund of the Senate: To Senator Arms, one hundred and seventeen dollars and sixty cents; to Senator Gesford, one hundred and seventeen dollars and sixty cents; to Senator Mathews, one hundred and seventeen dollars and sixty cents; to Senator Martin, one hundred and seventeen dollars and sixty cents.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, with the following result:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Everett, Fay, Hart, Hoyt, Martin, Orr, Ragsdale, Seymour, Shippee, Whitehurst, Williams, and Wilson—19.

NOES—None.

Whereupon, at four o'clock and five minutes P. M., the President declared that it appeared from the roll call that no quorum was present and voting.

RECESS.

He thereupon declared the Senate at recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

Upon the reconvening of the Senate for the evening session, the question recurred upon the adoption of the resolution submitted before the declaration of recess.

No quorum being present, a new roll call was ordered on the adoption of the resolution following:

Resolved, That the Controller of State be and he is hereby authorized to draw his warrant in favor of U. S. Arms, in the sum of four hundred and seventy dollars and forty cents, to pay the persons hereinafter mentioned, for mileage in visiting the asylum for insane persons, located at San Bernardino, California, heretofore appointed from Committee on Public Buildings, under a resolution of this Senate, and that the Treasurer of State is hereby authorized to pay the same, the said amount to be paid out of the Contingent Fund of the Senate: To Senator Arms, one hundred and seventeen dollars and sixty cents; to Senator Gesford, one hundred and seventeen dollars and sixty cents; to Senator Mathews, one hundred and seventeen dollars and sixty cents; to Senator Martin, one hundred and seventeen dollars and sixty cents.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Gesford, Harp, Hart, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

RESOLUTION.

By Senator Orr:

Resolved, That the provision of the Constitution relative to the time in which bills may be introduced be and the same is hereby suspended, and permission is hereby granted to introduce Senate Bill No. 776.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst and Wilson—31.

NOES—None.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Orr: Senate Bill No. 776—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Referred to Committee on Finance.

GENERAL FILE—THIRD READING OF BILLS.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Read third time.

Senator Fay moved that Substitute for Senate Bill No. 35 be recommitted to Senator Burke, as a special committee of one, with instructions to amend as follows:

Strike out of section fourteen thereof the words "July, eighteen hundred and ninety-three," and insert in lieu thereof, "January first, eighteen hundred and ninety-five."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of making payment of fees, etc., with instructions to amend—has had the same under consideration, and respectfully report the same back, amended as per instructions.

BURKE, Committee.

The roll was called upon the adoption of the report of the special committee, and the same adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Fay, Gesford, Harp, Hoyt, McAllister, Mahoney, Mathews, Ostrom, Shippee, Simpson, Voorheis, and Wilson—20.

NOES—Messrs. Arms, Broderick, Dunn, Ford, Hart, Maher, Mitchell, Orr, Seymour, Whitehurst, and Williams—11.

Bill ordered to print and reëngrossment as amended.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 63—An Act to amend section two thousand nine hundred and fifty-five of the Civil Code of the State of California, relating to mortgages of personal property.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Gesford was granted unanimous consent to withdraw Senate Bill No. 63, and to substitute therefor Senate Bill No. 390.

Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Read third time.

Senator Gesford moved that Senate Bill No. 390 be recommitted to Senator Shippee, as a special committee of one, with instructions to amend as follows:

Insert before section one an enacting clause, as follows:

"The People of the State of California, represented in Senate and Assembly, do enact as follows."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 390, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

SHIPPEE, Committee.

Report of special committee of one adopted.

Bill ordered to print and reëngrossment as amended.

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Read third time.

Senator Seawell moved that Senate Bill No. 331 be recommitted to Senator Whitehurst, as a special committee of one, with instructions to amend as follows:

By striking out of title "In Golden Gate Park, in the city of San Francisco or in," and inserting in lieu thereof the word "the;" and by striking out of section two, line one, "Golden Gate Park at San Francisco, or," and inserting in lieu thereof the word "the."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 331, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

WHITEHURST, Committee.

Report of special committee of one adopted.

Bill ordered to print and reëngrossment as amended.

Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Whitehurst, Williams, and Wilson—28.
NOES—None.

Title read.

Senator Burke moved to amend, as follows:

By striking out of the title the words "and making an appropriation therefor."

Adopted.

Title approved as amended.

Bill ordered to print and reëngrossment as amended.

Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Passed on file, at request of author.

Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Williams, and Wilson—26.
NOES—Mr. Martin—1.

Title read and approved.

LEAVE OF ABSENCE.

Senator Simpson was granted a leave of absence for the balance of the session.

Senator Earl was granted leave of absence for the balance of the session.

GENERAL RULE—THIRD READING OF BILLS—(RESUMED.)

Senate Bill No. 145—An Act to amend section one thousand two hundred and one of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the compensation of attorneys.

Read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Brewster, Burke, Campbell, Carpenter, Deussen, Jones, Fox, Hunt, Jackson, May, Matt, Hunt, McAllister, Robinson, Butler, Williams, Nathan, Williams, Van Hook, Washburn, Wilson, Seymour, Rogers, Williams, and Wilson—41.
Nays—None.

Title read and approved.

Senate Bill No. 48—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

Passed on file, at request of author.

Senate Bill No. 116—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Yarnum Land Transfer Act of Australia.

The bill having been read a third time on a previous day, the question was on the final passage.

The bill was called, and the bill finally passed by the following vote:

Ayes—Messrs. Bailey, Brew, Carpenter, Jones, Campbell, Deussen, Fox, Hunt, Jackson, May, Matt, Hunt, McAllister, Robinson, Butler, Williams, Nathan, Williams, Van Hook, Washburn, Wilson, Seymour, Rogers, Williams, and Wilson—41.
Nays—None.

Title read.

Senator McAllister moved to amend as follows:

Instead of adding to the title the words "and making an appropriation therefor."

Adopted.

Title approved as amended.

Bill returned to print and re-enactment as amended.

Senate Bill No. 141—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 11, 1872, relating to liability of families.

Read third time, and finally passed by the following vote:

Ayes—Messrs. Bailey, Brew, Burke, Carpenter, Jones, Campbell, Deussen, Jones, Fox, Hunt, Jackson, May, Matt, Hunt, McAllister, Robinson, Butler, Williams, Nathan, Williams, Van Hook, Washburn, Wilson, Seymour, Rogers, Williams, and Wilson—41.
Nays—None.

Title read and approved.

Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Fay, Gesford, Harp, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—26.

NOES—Messrs. Carpenter and Earl—2.

Title read and approved.

Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson—24.

NOES—Messrs. Dunn, Fay, and Mitchell—3.

Title read and approved.

President pro tem. R. B. Carpenter in the chair.

Senate Bill No. 109—An Act providing for the prevention of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases, and to provide penalties for the violation thereof.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Burke, Campbell, Carpenter, Denison, Fay, Gesford, Harp, Hoyt, McAllister, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, and Wilson—23.

NOES—None.

Title read and approved.

Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Read third time.

The roll was called on the final passage of the bill, but before the vote was announced Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson.

On motion of Senator Ostrom, further proceedings under the call were dispensed with.

The President pro tem. then announced the bill finally passed by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Fay, Ford, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Seymour, Shippee, Whitehurst, and Wilson—25.

NOES—Messrs. Carpenter, Ragsdale, and Voorheis—3.

Title read and approved.

Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Passed, to retain its place on file, on motion of Senator McGowan.

Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualification of Judges.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Ford, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

Senate Bill No. 287—An Act to add a new section to the Civil Code, to be numbered section one hundred and thirty-one, relative to divorces.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Fay, Ford, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Voorheis, Whitehurst, Williams, and Wilson—26.

NOES—Messrs. Arms and Harp—2.

Title read and approved.

Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Whitehurst, and Williams—25.

NOES—Messrs. McGowan and Wilson—2.

Title read and approved.

On motion of Senator Mathews, Senate Bill No. 669 was ordered immediately transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

SPECIAL ORDER.

Consideration of Senate Bill No. 38.

RESOLUTION.

By Senator McAllister:

Resolved, That Senate Bill No. 38 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 38 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—Mr. Gesford—1.

CASE OF URGENCY—SECOND AND THIRD READING OF BILL.

Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

Read second time, considered engrossed, read third time, and, on motion of Senator McAllister, re-referred to Committee on Judiciary.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of February, passed Senate Bill No. 6—An Act to amend an Act entitled "An Act to appropriate money for the erection of a State Hospital for Lepers."

Also: Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of February, passed Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Also: Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 76 and 220 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Assembly Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Also: Senate Substitute for Senate Bill No. 120—An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum, to complete the female ward, to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum, to construct a plant for lighting said buildings, to improve the grounds thereof, to purchase live stock and agricultural implements to be used for asylum purposes, to construct a carpenter shop and morgue thereon, to furnish the bakery, to construct a dam to furnish a water supply to said asylum, for fencing the ground and constructing a sewer system, for purchasing laundry machinery and kitchen furniture, to appropriate money therefor, and provide for the expenditure of the same.

Also: Senate Substitute for Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 320—An Act appropriating the sum of twenty thousand dollars for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Substitute for Assembly Bill No. 506 re-referred to Committee on Finance.

Senate Bill No. 480, Senate Substitute for Senate Bill No. 120, Senate Substitute for Senate Bill No. 481, and Senate Bill No. 320 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 198—An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 198 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

MOTION.

Senator Whitehurst moved that the Senate concur in the Assembly amendment to Senate Bill No. 382, as follows:

At end of section one: "*provided, however*, that the moneys thus retained shall be paid into the County Treasury, and shall be the property of such county."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Whitehurst, Williams, and Wilson—28.
NOES—None.

Senate Bill No. 382 ordered reëngrossed as amended, and to enrollment.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 20—An Act to amend section one thousand three hundred and sixty-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons.

Also: Senate Bill No. 62—An Act to amend section two thousand six hundred and ninety-one of the Political Code of the State of California, relating to roads and highways.

Also: Senate Bill No. 174—An Act fixing the price and conditions of sale at which jute goods shall be sold by the State.

Also: Senate Bill No. 177—An Act to provide for the erection of an additional wing to the main building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, to furnish the same and to improve the grounds, and to appropriate money therefor.

Also: Senate Bill No. 393—An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court.

Also: Senate Bill No. 632—An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry.

Also: Senate Bill No. 72—An Act to provide for a day of rest from labor.

RAGSDALE, Chairman.

MOTION.

Senator Orr moved that Senate Bill No. 759 be re-referred to Committee on City, City and County, and Town Governments, but that it retain its place on file.

So ordered.

REPORT OF SPECIAL COMMITTEE.

The following report of the special committee appointed to visit Golden Gate Park was submitted:

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your special committee appointed to visit the Golden Gate Park, and confer with the Park Commissioners relative to improvements in course of progress, contemplated improvements, and proposed amendments to the law now governing said park, beg leave to report that we visited the park in company with said Commissioners, Messrs. Stow and Hammond, on February 26, 1893.

It is needless to say that the management of the park, both from an artistic and financial view, is all that the most progressive and intelligent citizen could fairly demand. The most scrupulous care is invariably taken by the Commissioners, that the public money intrusted to them by the law is expended to accomplish results pleasing and satisfactory to even the most exacting taxpayer.

In proof of these conclusions we have only to cite the facts that the books of the Commissioners have on many occasions been subjected to a most scrutinizing research, with only conclusions complimentary to the Commissioners revealed, and that upon the investigation of the expenditures of the public money it was found that the work done required less money than similar work when done for private purposes.

We gladly avail ourselves of this opportunity to testify to the disinterested regard, prompt and energetic attention, and painstaking care with which Messrs. Hammond, Stow, and Austin have discharged the duties of their office, and we commend them most highly for the zeal they have displayed in the work of their office.

It may be truly said that under the present management many new and attractive features and permanent improvements have been added. The park has become now, under the policy of the present capable Commissioners, a beauty spot, where toiling labor can rest in the struggle of life to view the beautiful scenes of nature, where the overburdened humanity of our great city can breathe pure air, enjoy the songs of birds, revel captives to the sweet strains of music, and where, free from labor's annoyance, can be obtained the healthful and ennobling influences of a life in close communion with nature in her most entrancing forms.

Senate Bill No. 572, introduced by Senator Maher, and Assembly Bill No. 727, introduced by Assemblyman Kennedy, are designated to amend the present law so as to allow needed changes in the management and government of the park. It is first proposed to add the word "musicians" to the present law, so as to allow the payment of a claim for music furnished. It must not be implied from this demand for a change in the law that it is the intention of the Commissioners to pay for all the services rendered by musicians. On the contrary, the public pay but a pittance of the money now expended for music. Nearly the whole sum for such service is paid by a few of the street railway companies, under a contract most advantageous to the public.

It is also proposed to empower the Commissioners to enter into leases, with the term thereof not to exceed ten years. The reasons for such a change are obvious. Under the proposed law leases more to the advantage of public interest can be made. It is contemplated to further amend the law so that additional safeguards can be made.

The object of section four of the bills referred to is to establish a minimum and maximum rate of a levy of "not less than six nor more than ten cents upon each one hundred dollars assessed valuation of taxable property." This is a wise provision, and is desired to enable the Board of Supervisors to give the needed funds for the improvement of the park.

We heartily indorse the proposed changes, and trust that the Legislature will aid the present Commissioners in their most beneficial work by the enactment of the bills referred to.

As Golden Gate Park is situated near the largest city in the State, as the people of the whole State take a most decided interest in it, and many visitors from all parts of our State enjoy the benefits, as its growth and development have made it an institution grand enough to be claimed by the whole State, we respectfully suggest that the State should make a liberal and generous appropriation for the park.

MAHER, Chairman.
MCGOWAN.
WILLIAMS.
MCALLISTER.
MITCHELL.

On motion of Senator Maher, the report of the special committee to visit Golden Gate Park was adopted.

REPORT OF STANDING COMMITTEE.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, February 25, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 420—An Act to make an appropriation to pay the claim of R. B. Young, assignee of Mackay & Skinner, for extra work upon the Administration Building of the Reform School for Juvenile Offenders at Whittier, and make an appropriation for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be withdrawn.

Also: Senate Bill No. 772—An Act for the relief of Robert B. Young for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders at Whittier, and to make an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CAMPBELL, Chairman.

Senate Bills Nos. 420 and 772 re-referred to Committee on Finance.

PETITION.

Senator Mathews presented the following petition:

At a meeting of the delegates of the Southern California Turn Bezirk, composed of delegates of all the Turner Societies of Southern California, held in San Bernardino, California, February 19, 1893, the following resolution was unanimously adopted:

"That the Senate and Assembly of the State of California are hereby earnestly requested to give their early and favorable consideration of the bill now before both houses, in regard to physical training in all public schools of this State."

F. HEILBRONN, President.
CHAS. J. PETELER, Secretary.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Also: Senate Bill No. 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 762—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Finance.

Also: Senate Bill No. 767—An Act to amend section two thousand and fifty-one of "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the impeachment of a witness—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 753—An Act entitled an Act to enable persons who have expended money for the transportation of convict or insane persons to recover the same.

Also: Senate Bill No. 751—An Act to amend section four thousand one hundred and four of the Political Code of the State of California, relating to officers of a township.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Constitutional Amendment No. 20—An Act to submit to the people of the State of California an amendment to section twenty-three of article four of the Constitution of the State of California.

Also: Senate Constitutional Amendment No. 21—An Act to submit to the people of the State of California an amendment to section two of article four of the Constitution of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Constitutional Amendments.

McGOWAN, Chairman.

Senate Constitutional Amendments Nos. 20 and 21 re-referred to Committee on Constitutional Amendments.

Senate Bill No. 762 re-referred to Committee on Finance.

MOTION.

Senator Ford moved that the report of the Senate special committee to investigate the conduct, management, and needs of the Whittier Reform School be adopted.

Motion carried, and report adopted.

ADJOURNMENT.

At nine o'clock and fifty minutes P. M., on motion of Senator Burke, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 28, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Harp.

SPECIAL ORDER—POSTPONEMENT.

On motion of Senator Maher, the reconsideration of the vote whereby Senate Bill No. 75 was on a previous day refused final passage was postponed, and reset as a special order for Thursday next, immediately after the reading of the Journal.

QUESTION OF PRIVILEGE.

Senator Wilson arose to a question of privilege, and referred to an article reflecting on his good character, published in the Sacramento "Record-Union." He denounced the author, and insisted that the attack was premeditated, unjust, and without reason or cause, and in whole untrue; and gave notice that he would hold the publisher of the paper responsible for making up the article out of whole cloth, unless he produces the author.

MOTION.

On motion of Senator Streeter, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of February, passed Senate Bill No. 131—An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 131 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of February, adopted Assembly Constitutional Amendment No. 29—Relative to exemptions from taxation.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Constitutional Amendment No. 29 referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of February, passed Senate Bill No. 384—An Act to amend an Act

entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Also: Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 384 and 274 ordered to enrollment.

SPECIAL ORDERS—(RESUMED).

Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

On motion of Senator Mahoney, Substitute for Senate Bills Nos. 291, 183, and 123 was postponed, and made a special order for consideration to-morrow (Wednesday) morning, immediately after the reading of the Journal.

Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

In compliance with his notice for reconsideration given on a previous day, Senator Burke moved to reconsider the vote whereby Senate Bill No. 635 was finally passed on Saturday, February 25, 1893.

During debate the hour of ten o'clock and thirty minutes A. M. arrived, which called for the consideration of the urgency file.

Thereupon, the following three notices of reconsideration were postponed and reset as special orders for consideration at one o'clock and thirty minutes P. M. this day:

Reconsideration of the vote whereby Senate Bill No. 635 was passed on February 25, 1893.

Reconsideration of the vote whereby Assembly Joint Resolution No. 8 was adopted.

Reconsideration of the vote whereby Assembly Concurrent Resolution No. 7 was defeated.

URGENCY FILE—THIRD READING OF BILLS.

Senate Bill No. 409—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Maher was granted unanimous consent to withdraw Senate Bill No. 409, and to substitute therefor Senate Constitutional Amendment No. 16.

Senate Constitutional Amendment No. 16—To propose to the people

of the State of California an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

The roll was called, and Senate Constitutional Amendment No. 16 adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—31.

NOES—None.

Senate Bill No. 410—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

WITHDRAWAL OF BILL.

By unanimous consent, Senator Maher withdrew Senate Bill No. 410.

Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 639—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Voorheis was granted unanimous consent to withdraw Senate Bill No. 639 (No. 4 on file), and to substitute therefor Assembly Bill No. 688, they being identical bills.

The history of Senate Bill No. 639 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 639 withdrawn and Assembly Bill No. 688 substituted therefor on file.

Assembly Bill No. 688—An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books, for the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Carpenter, Dunn, Everett, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

URGENCY FILE—(RESUMED).

Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Dunn, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—32.

NOES—Senator Wilson—1.

Title read and approved.

LEAVE OF ABSENCE.

At eleven o'clock A. M. Senator Goucher was granted leave of absence for one half hour.

URGENCY FILE—(RESUMED).

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file, at request of author.

Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—33.

NOES—Mr. Ostrom—1.

Title read and approved.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Passed on file, at request of author.

Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

Passed on file, at request of author.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Passed on file.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for the use of the State Printing Department.

Read first time, and placed on file for second reading.

Senate Bill No. 327—An Act to appropriate money to pay the interest on State bonds belonging to the University of California, until the State may elect to pay the principal of said bonds.

Passed on file.

Senate Bill No. 721—An Act to appropriate money to pay the claim of Mrs. Louise Rienzi.

Passed on file.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Passed on file.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Passed on file.

RESOLUTION.

By Senator Voorheis:

Resolved, That Senate Bill No. 774 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 774 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—31.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILL.

Senate Bill No. 774—An Act to repeal an Act entitled “An Act to provide for the erection at San Quentin State Prison, a building for the accommodation of the insane prisoners, and making appropriation therefor,” approved March 19, 1889.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—32.
NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 347—An Act to establish a tax on collateral inheritances, to provide for its levy and collection, and to create therewith a fund for the maintenance of kindergartens.

Senator McAllister moved to amend as follows:

By striking out of section one, line five, the words "made or," and all of line six, and by inserting in lieu thereof the words: "made in contemplation of the death of the grantor or bargainor, or intended to take effect in possession or enjoyment after such death." And by striking out of line sixteen the word "clear," and by striking out of line seventeen the words "and after the same," and by inserting in lieu thereof the word "proportionate;" and by inserting in line eighteen after the word "county," the words "as hereinafter defined."

Adopted.

Also:

Amend by striking out of section two, line two, the word "first," and by inserting in lieu thereof the word "one," and by striking out of line six the words "fair and clear."

Adopted.

Also:

Amend by striking out of section five, line two, the words "where, in cases," and inserting the following: "in cases where."

Adopted.

Also:

Amend by striking out of section six, line nine, the word "he," and inserting in lieu thereof the following: "the executor, administrator, or trustee."

Adopted.

Also:

Amend by striking out of section eight, line five, the words "from line of," and by inserting in lieu thereof the word "for;" and by striking out the word "he" in said line and by inserting in lieu thereof the following: "said executor, administrator, or trustee," and inserting the following in line seven, between the words "and" and "shall:" the words "said Controller;" and by striking out of line nine the word "but" and by inserting the word "and."

Adopted.

Also:

Amend by striking out all of section nine.

Adopted.

Also:

Amend by inserting in section ten, line four, the words "deducted or," between the words "so" and "paid."

Adopted.

Also:

Amend by inserting in section eleven, line two, the word "held," between the words "or" and "in."

Adopted.

Also:

Amend by striking out all of section twelve.

Adopted.

Also:

Amend by striking out of section thirteen, line seven, the word "fair," and by inserting on line six the words "at which," between the words "place" and "he."

Adopted.

Also:

Amend by striking out of section fifteen, line one, the words "the real property is situate," and inserting in lieu thereof the following: "is situate the real property."

Adopted.

Also:

Amend by striking out of section sixteen, line three, the words "interested in," and inserting in lieu thereof the following: "known to own any interest in or part of."

Adopted.

Also:

Amend the title so that it may read as follows: "An Act to establish a tax on collateral inheritances, bequests, and devices, to provide for its collection, and to direct the disposition of the proceeds."

Adopted.

Also:

Amend the bill by renumbering the sections as follows: "Section ten, section nine; section eleven, section ten; section thirteen, section eleven; section fourteen, section twelve; section fifteen, section thirteen; section sixteen, section fourteen; section seventeen, section fifteen; section eighteen, section sixteen; section nineteen, section seventeen; section twenty, section eighteen; section twenty-one, section nineteen; section twenty-two, section twenty; section twenty-three, section twenty-one; section twenty-four, section twenty-two; and section twenty-five, section twenty-three."

Adopted.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out from title of the Act the words "maintenance of kindergartens," and inserting in lieu thereof: "use of the State School Fund."

Lost.

AMENDMENT No. 2.

Amend by inserting in section eight, line ten, page four of printed bill, after the word "tax" the words "nor shall estate be distributed."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section thirteen, on line nine, page five of printed bill, the words "in the office," and insert in lieu thereof "with the Clerk."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section fourteen, on line five, page six of printed bill, the words "and imprisoned not exceeding ninety days," and insert in lieu thereof "or imprisoned in the county jail not exceeding ninety days, or both."

Adopted.

AMENDMENT No. 5.

Amend by striking out all of section seventeen after the word "tax," on line seven, page six of printed bill.

Adopted.

AMENDMENT No. 6.

Amend by striking out all of section twenty-four after the words "for the uses of the State," on line two, page eight of printed bill, and insert in lieu thereof "School Fund."

Adopted.

AMENDMENT No. 7.

Amend by striking out all of section twenty-six, page eight of printed bill.

Adopted.

Senate Bill No. 347 read second time, ordered printed and to engrossment as amended, and on file for third reading.

Senate Bill No. 360—An Act making an appropriation to pay the claim of J. L. Cooke and William Gutenberger for balance due for materials furnished and work done in the construction of the Branch State Prison at Folsom.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof.

Passed on file temporarily, at request of Senator Gesford.

Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Passed on file, at the request of Senator Streeter, to retain its place.

Senate Bill No. 403—An Act to amend section five hundred and twenty-seven of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Passed on file, temporarily, at request of Senator Burke, to retain its place.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at World's Columbian Exposition, and to appropriate money therefor.

Passed on file, in absence of author.

Senate Bill No. 528—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Re-referred to Committee on County Government and Township Organization.

Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read second time, and ordered to engrossment and to a third reading.

RESOLUTION.

By Senator Voorheis:

Resolved, That the provisions of the Constitution relative to the time in which bills may be introduced be and the same is hereby suspended, and permission is hereby granted to introduce Senate Bill No. 778.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—33.

NOES—Mr. Ostrom—1.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Voorheis: Senate Bill No. 778—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

On motion of Senator Gesford, Senate Bill No. 147 was made a special order for consideration at three o'clock and thirty minutes P. M. this day.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

SPECIAL ORDERS.

The following having been set as a special order for this hour, one o'clock and thirty minutes P. M., it was taken up for consideration:

The reconsideration of the vote whereby Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers—was passed on February 25, 1893.

Pending discussion the hour of two o'clock having arrived, the consideration of Assembly bills by joint rules set for this hour was proceeded with.

SPECIAL ASSEMBLY FILE—THIRD READING OF BILL.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1884 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Senator Carpenter offered the following resolution.

Resolved, That Senate Substitute for Assembly Bill No. 10 be referred to Senator Maher, as a special committee of one, with instructions to amend the same by inserting on line ten of section three, after the word "shall," the word "not," and that he report the same forthwith to the Senate as amended.

Adopted.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Substitute for Assembly Bill No. 10, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

MAHER, Committee.

Report of special committee adopted.

MOTION.

Senator Burke moved that Senate Substitute for Assembly Bill No. 10 be recommitted to Senator Ostrom, as a special committee of one, with instructions to amend as follows:

Strike out of section one the words "1884" wherever same occurs therein, and insert the following: "1879," in lieu thereof.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Substitute for Assembly Bill No. 10, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

OSTROM, Committee.

CALL OF THE SENATE.

Senator Carpenter moved a call of the Senate.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary of the Senate announced that the only absentees without leave were Senators Mitchell and Williams.

The Sergeant-at-Arms was directed to forthwith produce the above-named Senators.

Senator Campbell moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Everett, Ford, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—28.

NOES—Messrs. Arms, Burke, Dunn, Earl, Fay, Flint, Gesford, and Harp—8.

Whereupon, the Sergeant-at-Arms, by direction of the President, opened the doors.

The question then being on the adoption of the report of the special committee of one (Senator Ostrom).

The roll was called, and the same refused adoption by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Dunn, Earl, Fay, Gesford, Hoyt, McAllister, McGowan, Martin, Mathews, Ostrom, Seawell, Whitehurst, and Wilson—16.

NOES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—22.

MOTION.

Senator Ostrom moved that Senate Substitute for Assembly Bill No. 10 be recommitted to Senator Burke, as a special committee of one, with instructions to amend as follows:

Strike out all of section five thereof.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Substitute for Assembly Bill No. 10, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BURKE, Committee.

The roll was called on the adoption of the report of the special committee of one (Senator Burke), and the same refused adoption by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Dunn, Fay, Gesford, McAllister, McGowan, Martin, Mathews, Ostrom, Seawell, Whitehurst, and Wilson—14.

NOES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—24.

Senate Substitute for Assembly Bill No. 10 ordered to print and reëngrossment as amended.

Assembly Bill No. 36—An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Carpenter, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Maher, Martin, Mathews, Ostrom, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—25.

NOES—Messrs. Burke, Campbell, Earl, Hoyt, McAllister, Simpson, and Voorheis—7.

Title read and approved.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Passed on file.

Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalty for selling liquor to habitual or common drunkards, and Indians.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hoyt, McAllister, Maher, Martin, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—Mr. Hart—1.

Title read.

Committee amendment to the title:

Amend by striking out the word "penalty," and insert in lieu thereof "penalties."

Adopted.

Title as amended approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and making appropriations therefor.

Also: Senate Bill No. 741—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Committee Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Also: Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year.

Also: Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court for the forty-fourth fiscal year.

Also: Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Also: Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to Act as insurance agent or solicitor.

Also: Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Also: Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Also: Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Also: Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly enrolled: Senate Bill No. 401—An Act to authorize suits against the State, and regulating the procedure therein.

RAGSDALE, Chairman.

SPECIAL ASSEMBLY FILE—(RESUMED).

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Passed on file.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of lands into small lots or tracts for the purpose of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, or towns, subdivisions or additions thereto, before such maps are filed and recorded.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Fay, Gesford, Goucher, Harp, Hart, McAllister, Maher, Mahoney, Mathews, Ostrom, Ragdsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—24.

NOES—Mr. Martin—1.

Title read and approved.

Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, on assignments for benefit of creditors.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Campbell, Denison, Earl, Everett, Fay, Flint, Harp, Hart, McAllister, Martin, Ostrom, Ragdsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—21.

NOES—Messrs. Hoyt and Williams—2.

Title read and approved.

Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in estates of deceased persons.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Denison, Earl, Fay, Flint, Gesford, Goucher, Harp, Hoyt, McAllister, Martin, Ostrom, Ragsdale, Seawell, Shippee, Voorheis, Whitehurst, and Wilson—21.
NOES—None.

Title read and approved.

Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in cases of executions and attachments.

Read third time.

The roll was called on the final passage of the bill.

Before the vote was announced Senator Ostrom moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

The Secretary announced as absentees without leave Senators Martin and Streeter.

On motion of Senator Voorheis further proceedings under the call of the Senate were dispensed with, and the doors ordered opened.

The President thereupon announced the final passage of Assembly Bill No. 214 by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—26.
NOES—Messrs. Arms and Bailey—2.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Read first time, and placed on file for second reading.

Assembly Joint Resolution No. 4—Relating to the free and unlimited coinage of silver.

On motion of Senator Orr, Assembly Joint Resolution No. 4 was referred to the Committee on Banks and Banking.

Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Read first time, and placed on file for second reading.

Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Read first time, and placed on file for second reading.

Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Read first time, and placed on file for second reading.

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Read first time, and placed on file for second reading.

Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

Read first time, and placed on file for second reading.

Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-1893.

Read first time, and placed on file for second reading.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Read first time, and placed on file for second reading.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Read first time, and placed on file for second reading.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Read first time, and placed on file for second reading.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

Assembly Bill No. 720—An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State

School Land Fund the sum of one hundred and eighty-nine thousand four hundred and twenty-six dollars and fifty-eight cents.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Streeter, Whitehurst, and Wilson—29.

NOES—None.

Title read and approved.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Read first time, and placed on file for second reading.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Read first time, and placed on file for second reading.

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-

nine, and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thousand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

Read first time, and placed on file for second reading.

Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity; and making provision for the payment of such bonds, and the disposal of their proceeds."

Read first time, and placed on file for second reading.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read first time, and placed on file for second reading.

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom, and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893.

Read first time, and placed on file for second reading.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Read first time, and placed on file for second reading.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the

same by the State," approved March 20, 1891, by amending sections one, eleven, and twelve.

Read first time, and placed on file for second reading.

Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Read first time, and placed on file for second reading.

Substitute for Assembly Constitutional Amendment No. 7—Proposing an amendment to the Constitution of the State of California, by adding a new section to article thirteen of the said Constitution, to be numbered section twelve and three quarters, relating to revenue and taxation.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Carpenter, Dunn, Earl, Everett, Flint, Ford, Gesford, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—28.
NOES—Messrs. Campbell and Wilson—2.

Assembly Constitutional Amendment No. 12 passed on file.

The hour of three o'clock and thirty minutes P. M. having arrived, the President directed the Secretary to call the roll as per the following Senate rule:

On each day, at the hour of three o'clock and thirty minutes P. M., the Secretary shall call the roll of the Senate, and each Senator shall then give the number of a bill which he desires to be placed under the suspension of the Constitution; when said roll is called, and all such numbers are given, a general resolution suspending the Constitution as to all such bills shall be introduced and voted upon; *always provided*, that no bill shall be placed on said file, or under such suspension, if, when the number thereof is called, any six (6) Senators object thereto. In case of such objection the Senator whose bill is objected to shall be allowed to select another bill to which there is no such objection. When such suspension is carried, and such file made up therefrom, the bills thereon shall thereupon be considered in the order in which they are placed on such file. No further roll call shall be called for the purpose hereinabove mentioned, until the file so made up is completed, and in case such file is not completed, it shall be the regular order of each day from three o'clock and thirty minutes P. M. to the evening recess.

MOTION.

Senator Ostrom moved that the roll call be reversed, and that Senator Wilson's name be called first.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Maher, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—15.
NOES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, and McGowan—20.

The Secretary then called the roll of Senators, and the following bills were suggested as cases of urgency. Following the name of each Senator is the number and title of bill suggested by him:

URGENCY FILE.

Senator Arms: Senate Constitutional Amendment No. 7—Proposing to the people of the State of California an amendment to the Constitution of the United States, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Senator Bailey: Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor.

Senator Berry: Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Senator Biggy: Senate Bill No. 141—An Act to amend section seven hundred and fifty-one of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court.

Senator Broderick: Senate Bill No. 686—An Act to amend section three thousand and five of the Political Code, in relation to Boards of Health.

Senator Burke: Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of butter and cheese, and to appropriate money for its enforcement.

Senator Campbell: Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Senator Denison: Senate Bill No. 208—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Senator Dunn: Senate Bill No. 556—An Act to amend section three thousand and five of the Political Code, relating to the appointment of a Board of Health for the City and County of San Francisco.

Senator Earl: Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity; and making provision for the payment of such bonds, and the disposal of their proceeds."

Senator Everett: Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases.

Senator Fay: Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Senator Flint: Assembly Bill No. 734—An Act providing for the completing and preserving of Sutter's Fort.

Senator Ford: Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgment in cases of contempt, and providing for appeals therefrom.

Senator Gesford: Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Senator Goucher: Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Senator Harp: Senate Bill No. 156—An Act to amend section one thousand nine hundred and four of an Act to establish a Political Code, approved March 12, 1872, approved March 20, 1889, relating to elections.

Senator Hart: Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same, and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Senator Hoyt: Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Senator Langford: Senate Bill No. 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Senator McAllister: Senate Bill No. 604—An Act to amend section three hundred and thirty-three of the Political Code, relating to the printing of public reports.

Senator McGowan: Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Senator Maher: Senate Bill No. 572—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Senator Mahoney: Senate Bill No. 292—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

Senator Martin: Senate Bill No. 661—An Act to amend section three thousand six hundred and ninety-six of the Political Code, relating to the duties of the State Board of Equalization.

Senator Mathews: Senate Bill No. 95—An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of Los Angeles, State of California, and for the appointment of such additional Judges," approved March 11, 1889, and to reduce the number of Judges of said county from six to four.

Senator Mitchell: Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Senator Orr: Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Senator Ostrom: Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary, and provide for the government of Levee District No. 2 of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Senator Ragsdale: Senate Bill No. 334—An Act to provide for the working of certain convicts upon the public roads in this State.

Senator Seawell: Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Senator Seymour: Senate Bill No. 299—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain.

Senator Shippee: Senate Bill No. 633—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415." and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Senator Simpson: Senate Bill No. 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Senator Streeter: Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-1893.

Senator Whitehurst: Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Senator Williams: Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Senator Wilson: Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts; to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections one, eleven, and twelve.

POSTPONEMENTS.

On motion of Senator Hart, the special orders set for consideration at this hour were postponed, and made a special order and reset for consideration at this evening's session, immediately after the reconvening of the Senate, as follows:

Reconsideration of the vote whereby Senate Bill No. 635 was passed on February 25, 1893.

Reconsideration of the vote whereby Assembly Joint Resolution No. 8 was adopted.

Reconsideration of the vote whereby Assembly Concurrent Resolution No. 7 was defeated.

Consideration of Senate Bill No. 147.

Senate Bill No. 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891.

Senate Bill No. 173—An Act making appropriations for the purchase

of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Senate Bill No. 304—An Act making an appropriation for the erection of buildings, and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom.

Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 768—An Act to provide for furnishing a residence for the Governor of California, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 648—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.

Also: Senate Bill No. 772—An Act for the relief of Robert B. Young for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders at Whittier, and to make an appropriation for the same.

Also: Senate Bill No. 760—An Act to provide for the erection and construction of offices, rooms, and apartments in the general ferry and passenger depot now under course of construction at or near the foot of Market Street, in the City and County of San Francisco, for the accommodation of certain persons, officers, and Commissions of the State of California, now having their offices and quarters in said City and County of San Francisco, and making an appropriation to carry out the provisions of this Act.

Also: Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Also: Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

Also: Committee Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

VOORHEIS, Chairman.

RECESS.

At four o'clock P. M., on motion of Senator Orr, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorbeis, Whitehurst, Williams, and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Hoyt, at seven o'clock and forty minutes P. M., was granted a leave of absence for fifteen minutes.

POSTPONEMENTS.

On motion of Senator Ostrom, the following special orders, set for consideration at this hour, were reset as special orders for consideration on to-morrow, immediately after the reading of the Journal, viz.:

1. The reconsideration of the vote whereby Senate Bill No. 635 was passed on February 25, 1893.
2. Reconsideration of the vote whereby Assembly Joint Resolution No. 8 was adopted.
3. Reconsideration of the vote whereby Assembly Concurrent Resolution No. 7 was defeated.
4. Consideration of Senate Bills Nos. 147, 67, 173, 304, and 175.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Also: Senate Bill No. 660—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California, for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom, and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds, from January 1 to July 1, 1893.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly reengrossed: Senate Bill No. 331—An Act to appropriate money for the erection of a monument in the Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

RAGSDALE, Chairman.

GENERAL FILE—THIRD READING OF BILLS.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Passed on file.

Senate Bill No. 331—An Act to appropriate money for the erection of a monument in the Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Fay, Flint, Ford, Gesford, Harp, Hart, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Passed on file.

Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

Passed on file.

Senate Bill No. 230—An Act to amend section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Denison, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

Senate Bill No. 428—An Act to repeal section one thousand and ninety-three of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Fay, Flint, Ford, Gesford, Harp, Hart, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

Senate Bill No. 430—An Act to amend sections one thousand four hundred and twenty-six, one thousand four hundred and twenty-seven, and one thousand four hundred and fifty-two of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice's or Police Court for a public offense.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Dunn, Fay, Flint, Ford, Gesford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—26.

NOES—None.

Title read and approved.

Senate Bill No. 429—An Act to amend section nine hundred and forty-four of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Burke, Campbell, Dunn, Fay, Ford, Gesford, Harp, Hart, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

At seven o'clock and fifty-five minutes P. M., Senator Simpson was granted a leave of absence for one hour, and Senator Ostrom for one quarter of an hour.

Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Burke, Campbell, Dunn, Fay, Ford, Gesford, Harp, Hart, Langford, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.

NOES—None.

Title read and approved.

Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Burke, Campbell, Denison, Dunn, Flint, Ford, Gesford, Harp, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McGOWAN, Chairman.

MOTION.

Senator McAllister moved that Senate Bill No. 38, having been considered as a case of urgency, be now taken up.

So ordered.

Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

The bill having been read a third time on a previous day, the question was on the final passage.

Senator McAllister moved that Senate Bill No. 38 be recommitted to Senator McGowan, as a special committee of one, with instructions to amend as follows:

Amend by striking out the word "solely," on line two, section one of printed bill; also, amend by striking out of section one, line three, printed bill, the word "persons," and inserting in lieu thereof the words "aged persons in indigent circumstances;" also, amend section nine by striking out of line two the word "eighteen" and the figures "18," and inserting in lieu thereof "fifteen (15);" also, amend the title so as to read as follows: "An Act to appropriate money to institutions supporting and maintaining aged persons in indigent circumstances afflicted with incurable diseases."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 38, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

McGOWAN, Committee.

Report of special committee of one and amendment adopted.

Bill ordered to print and reëngrossment as amended, and on file for final passage.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reëngrossed:

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Also: Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Also: Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Also: Substitute for Senate Bill No. 358—An Act to regulate the sale of imitation olive oil, and to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

RAGSDALE, Chairman.

GENERAL FILE—(RESUMED).

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file, in absence of the author.

Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Passed on file, at request of Senator McGowan.

Senate Bill No. 64—An Act to amend section nine hundred and eighty-seven of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—Messrs. Burke and Orr—2.

Title read and approved.

Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Passed on file, at request of Senator McGowan.

LEAVE OF ABSENCE.

Senator Ford was granted leave of absence for the remainder of the evening.

GENERAL FILE—(RESUMED)—SECOND READING OF BILL.

Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Senator McGowan moved to amend, as follows:

By striking out of section one, line three, the word "fifteen," and inserting the following: "thirty."

Adopted.

Also.

Amend by striking out of section four, line four, the word "fifteen," and inserting the following: "thirty."

Adopted.

Senator Voorheis moved to amend, as follows:

By striking out all of section seven.

Lost.

Senator Seawell moved to amend, as follows:

By striking out of section nine, line one, the words "section nine," and inserting the following in lieu thereof: "section eight."

Adopted.

Also:

Amend by striking out of section ten, line one, the words "section ten," and inserting the following in lieu thereof: "section nine."

Adopted.

Senator Voorheis moved to amend, as follows:

By striking out of section nine, line two, the word "eighteen," and inserting in lieu thereof the following: "nineteen."

Lost.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

Senate Bill No. 539—An Act to appropriate money to pay funeral expenses, to provide tombstones, to sink a well, and make needed repairs in and about the "Women's Relief Corps Home," at Evergreen, in the State of California.

On second reading of bill, the following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 539.

An Act to appropriate money to pay the claim of the Directors of the Women's Relief Corps Home at Evergreen, California.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the State Treasury not otherwise appropriated, the sum of five thousand five hundred dollars, to pay the claim of the Directors of the Women's Relief Corps Home, situated at Evergreen, in Santa Clara County, State of California.

SEC. 2. The Controller is hereby authorized to draw his warrant for the amount herein made payable, and the Treasurer is directed to pay the same.

SEC. 3. This Act shall take effect and be in force from and after its passage.

Substitute adopted.

Substitute bill read second time, ordered to print and engrossment, and to a third reading.

GENERAL FILE—(RESUMED).

Senate Bill No. 404—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners.

Passed on file temporarily.

Senate Bill No. 168—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

The following committee amendments were submitted.

Amend by striking out of section two, line one of printed bill, the word "March," and inserting the following in lieu thereof: "September."

Adopted.

Also:

Amend by striking out of section two, line two of printed bill, the word "two," and inserting the following in lieu thereof: "three."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 431—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine

hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 4, 1872, relating to presentments by a grand jury.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 167—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the admission of attorneys and counselors at law.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 170—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator McGowan was granted unanimous consent to withdraw Senate Bill No. 170, and to substitute therefor Senate Bill No. 385.

Senate Bill No. 170 withdrawn.

Senate Bill No. 385—An Act to provide for incorporation, operation, and management of coöperative associations.

Read second time, and ordered to engrossment and to a third reading.

GENERAL FILE—(RESUMED).

Senate Bill No. 468—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the powers of railroad corporations to borrow money.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 469—An Act to amend section eight hundred and fifty-five of the Code of Civil Procedure of the State of California, relating to the filing of answers in Justices' Courts.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Earl was granted unanimous consent to withdraw Senate Bill No. 469, and to substitute therefor Senate Bill No. 719.

Senate Bill No. 469 withdrawn.

Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Senator McAllister moved to amend, as follows:

By renumbering the sections as follows: "section seven to be section one; section nine to be section two."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

LEAVE OF ABSENCE.

Senators Voorheis, Harp, and Flint were, at nine o'clock P. M., granted a leave of absence for the balance of the evening.

PRESENTATION OF PETITIONS.

Senator Mitchell presented the following petition, and asked that it be printed in the Journal.

So ordered.

CONVICT LABOR VS. FREE LABOR.

To the Honorable Legislature:

The undersigned, residents of the Potrero and Mission, San Francisco, hereby respectfully protest against the passage of the bill to establish a cordage factory at Folsom State Prison, as it is a direct blow to free labor.

Signed by Antone Scharetg and three thousand and eighty-nine other residents.

Senator Shippee presented the following, and asked that it be printed in the Journal.

So ordered.

PROTEST.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties and fifty towns refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by John Bidwell and ninety-seven others.

REPORTS OF STANDING COMMITTEES.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BAILEY, Chairman.

ON HOSPITALS.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

SIMPSON, Chairman.

ON FEDERAL RELATIONS AND IMMIGRATION.

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: Your Committee on Federal Relations and Immigration, to whom was referred Assembly Joint Resolution No. 26—Relative to the mining and river interests of the State—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

WILLIAMS, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing—have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

STREETER, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

MR. PRESIDENT: Your committee on memorial services in commemoration of the death of Hon. James G. Blaine, respectfully report that under and in pursuance of the action of the Senate, and in conjunction with the Assembly committee, certain debts, as evidenced by the bills hereunto attached, were contracted, viz.:

| | |
|--|----------|
| Carriage hire | \$5 00 |
| Printing | 16 25 |
| Music | 160 00 |
| Decorating | 25 00 |
| Cleaning Assembly Chamber, etc. | 15 00 |
| Postage, etc. | 10 00 |
| Chairs—removing, handling, and expressing same | 25 00 |
| Total | \$256 25 |

The item for chairs, removal, handling, and expressing same was originally for fifty dollars, but the committee considered that the sum of twenty-five dollars was a fair and considerate sum therefor, hence the same was reduced as herein reported, and ask that the action of your committee therein be indorsed. Your committee also recommend the adoption of the following resolution, viz.:

Resolved, That the Controller is hereby directed to draw his warrant in favor of Senator Maher, upon the appropriation for the contingent expenses of the Senate, for the sum of one hundred and twenty-eight dollars and twelve and one half cents (\$128 12½), said sum being for one half of the amount as contracted by your committee.

MAHER, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called upon the adoption of the resolution, and the same was adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Fay, Gesford, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Williams, and Wilson—27.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred Senate Bill No. 778—An Act making an appropriation for the contingent expenses of the Senate, for the thirtieth session—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

Senate Bill No. 778 re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Ike Mooser be and he is hereby allowed mileage as Sergeant-at-Arms to the Committee on Public Buildings other than Prison Buildings during the investigation of the San Bernardino Asylum for the Insane, and the Controller is hereby

directed to draw his warrant in favor of Ike Mooser for the sum of one hundred and seventeen dollars and sixty cents (\$117 60), and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

STREETER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1893.

MR. PRESIDENT: A majority of Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Ike Mooser be and he is hereby allowed mileage as Sergeant-at-Arms to the Committee on Public Buildings other than Prison Buildings during the investigation of the San Bernardino Asylum for the Insane, and the Controller is hereby directed to draw his warrant in favor of Ike Mooser for the sum of one hundred and seventeen dollars and sixty cents (\$117 60), and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRODERICK.
ARMS.
WILSON.

Senator Broderick moved the adoption of the majority report and resolution.

The roll was called, and the resolution lost by the following vote:

AYES—Messrs. Berry, Broderick, Denison, Fay, Goucher, Hart, Hoyt, Mahoney, Martin, Mitchell, Seawell, Seymour, Whitehurst, and Williams—13.

NOES—Messrs. Bailey, Biggy, Campbell, Dunn, Gesford, McAllister, McGowan, Maher, Mathews, Ostrom, Ragsdale, Shippee, Streeter, and Wilson—14.

ADJOURNMENT.

At nine o'clock and thirty minutes P. M., on motion of Senator Mahoney, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 1, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Goucher.

POSTPONEMENT.

On motion of Senator Mahoney, the reconsideration of the vote whereby Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific Railroads owe the Government—set as a special order for this hour, was postponed and made a special order for Friday next, immediately after the reading of the Journal.

MOTION.

Senator Voorheis moved that the special orders set for this hour be temporarily postponed, until the following Assembly Joint Resolution be considered:

So ordered.

Assembly Joint Resolution No. 26—Relative to the mining and river interests of the State of California.

Senator Voorheis moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—36.

NOES—None.

MOTIONS.

On motion of Senator Voorheis, Assembly Joint Resolution No. 26 was immediately transmitted to the Assembly.

Senator Ostrom moved that the special order set for this hour, the reconsideration of the vote whereby Assembly Concurrent Resolution No. 7 was defeated, be postponed and made the special order for seven o'clock and thirty minutes P. M. this evening.

So ordered.

SPECIAL ORDERS.

Committee Substitute for Senate Bills Nos. 291, 183, 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Senator Mathews moved that the above bill be re-referred to the Committee on City, City and County, and Town Governments.

Senator Maher moved, as an amendment, that it be re-referred to the San Francisco Delegation.

The amended motion carried, and Committee Substitute for Senate Bills Nos. 291, 183, and 123 was re-referred to the San Francisco Delegation.

Reconsideration of the vote whereby Senate Bill No. 635 was passed on February 25, 1893.

The question being on the motion of Senator Burke, to reconsider the vote whereby Senate Bill No. 625 was passed.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Mathews, Mitchell, Orr, Seawell, and Whitehurst—14.

NOES—Messrs. Berry, Broderick, Campbell, Denison, Earl, Everett, Ford, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—23.

SECOND READING OF BILL.

Senate Bill No. 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891.

Senator McAllister moved to amend, as follows:

By inserting in section one, line one, between the words "insured" and "against," the words "at the expense and cost of the State;" and by inserting in the same section, line three, between the words "thereof" and "except," the words "at the expense and cost of the State."

Adopted.

Senator Hart moved to amend, as follows:

By inserting after the enacting clause the following:

"SECTION 1. Section one of the Act recited in the title of this Act is hereby amended so as to read as follows."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

MOTION.

Senator Ostrom moved the following special orders be postponed, and made special orders for to-morrow morning, immediately after reading of the Journal:

So ordered.

Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Senate Bill No. 304—An Act making an appropriation for the erection of buildings, and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom.

Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof.

LEAVE OF ABSENCE.

Senator Hoyt, on motion of Senator Earl, and Senator Carpenter, on motion of Senator Bailey, were granted a leave of absence for the day.

The hour of ten o'clock and thirty minutes A. M. having arrived, the Senate proceeded to consider bills on the urgency file.

URGENCY FILE.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Senator Shippee moved to amend, as follows:

By striking out section two and inserting in lieu thereof the following:

"Sec. 2. The Controller of State is hereby directed to draw his warrant for said sum, and the Treasurer of State is hereby directed to pay the same."

Adopted.

Also:

Amend by adding a new section, to be numbered section three, as follows:

"Sec. 3. This Act shall take effect and be in force from and after its passage."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 365—An Act making an appropriation for the erection of an additional building for the State Normal School at San José.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Senator Bailey was granted unanimous consent to withdraw Senate Bill No. 365, and to substitute therefor Senate Bill No. 4.

Senate Bill No. 365 withdrawn.

THIRD READING OF BILLS.

Senate Bill No. 4—An Act to establish and provide for an Industrial School for Girls, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Burke, Campbell, Denison, Earl, Fay, Flint, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Whitehurst, Williams, and Wilson—26.

NOES—Messrs. Biggy, Dunn, Gesford, Langford, Mathews, and Mitchell—6.

Title read and approved.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Passed on file.

Senate Bill No. 741—An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—27.
NOES—None.

Title read and approved.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Read third time, and temporarily passed on file, on motion of Senator Voorheis.

Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-second fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Wilson—28.
NOES—None.

Title read and approved.

Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court, for the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Denison, Dunn, Earl, Everett, Fay, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.
NOES—None.

Title read and approved.

Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.
NOES—None.

Title read and approved.

Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Campbell, Earl, Everett, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.
NOES—Messrs. Burke and Dunn—2.

Title read and approved.

Senate Bill No. 742—An Act making an appropriation to pay the

deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Campbell, Dunn, Earl, Everett, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Burke, Campbell, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Martin, Mitchell, Orr, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Senate Bill No. 660—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom, and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Voorheis was granted unanimous consent to withdraw Senate Bill No. 660 (No. 15 on file), and to substitute therefor Assembly Bill No. 737, they being identical bills.

The history of Senate Bill No. 660 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 660 withdrawn, and Assembly Bill No. 737 substituted therefor on file.

Assembly Bill No. 737—An Act to provide for the payment of interest on the outstanding bonds of the State of California, held in trust for the

University Fund and the State School Fund; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have by mistake been withheld therefrom, and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds from January 1 to July 1, 1893.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Ford:

Resolved, That the provisions of the Constitution, relative to the time in which bills may be introduced, be and the same is hereby suspended, and permission is hereby granted to introduce Senate Concurrent Resolution No. 7.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Denison, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Ostrom, Seawell, Seymour, Simpson, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

SENATE CONCURRENT RESOLUTION.

By Senator Ford: Senate Concurrent Resolution No. 7—Approving the charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town at a special election held therein for that purpose on February 28, 1893.

Senate Concurrent Resolution No. 7 ordered to print and on file, without reference to committee.

URGENCY FILE—(RESUMED)—SECOND READING OF BILL.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for the use of the State Printing Department.

Read second time, and ordered to engrossment and to a third reading.

On motion of Senator Hart, the further consideration of Senate Bill No. 576 was made a special order for Friday next, immediately after reading of the Journal.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 778—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION.

By Senator Voorheis:

Resolved, That Senate Bill No. 778 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times and placed upon its passage.

The roll was called, and Senate Bill No. 778 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—Senator Ostrom—1.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILL.

Senate Bill No. 778—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Giesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—29.

NOES—None.

Title read and approved.

REPORT OF SPECIAL COMMITTEE.

On behalf of the joint special committee, Senator Everett presented the following report:

MR. PRESIDENT: Your special committee which, in connection with a similar committee from the Assembly, were appointed and directed to investigate certain charges made relating to the construction of some of the buildings at the Home for the Care and Training of the Feeble-Minded, located at Glen Ellen, in Sonoma County, beg leave to submit the following report:

Your committee visited the premises at Glen Ellen, and proceeded at once to inspect and thoroughly examine the buildings in question; that thereafter, at regularly appointed meetings, and in pursuance to the issuance of subpoenas, witnesses whom, in the judgment of your committee were material to aid in determining the charges, appeared and gave testimony, which testimony accompanies this report, and among whom were the following: George W. Gibbs, Trustee; F. W. Lougee, Trustee; and A. P. Overton, Trustee, and Chairman of the Building Committee, together with being a practical builder, and all of whom are men of sterling integrity and business capacity.

In addition to the foregoing witnesses, we examined Victor Hoffmann, Jr., the complaining witness, though laboring under some disadvantage in doing so, inasmuch as he refused to answer some of the questions propounded, and which were, in the judgment of your committee, relevant, that we might the better reach the bottom of the charges, and in this connection we are constrained to say, and we do hereby disapprove of said last-named witness' manner and general conduct before said committee, the same being discourteous and disrespectful.

Your committee finds as follows:

First—That the charges made to the Controller of State by said Victor Hoffmann, Jr., were not founded in fact, and are not borne out by the testimony, but on the contrary, in the opinion of your committee, is the result of animus.

Second—That the testimony of all the witnesses goes to show that the building is constructed in accordance with the specifications, with only slight changes, and which were made with and by the authority of the Board of Trustees, said changes being of no advantage to the contractor, nor detriment to the State, and which changes, under the circumstances, are allowed by law.

Third—We have inspected the buildings, and find that the State may well congratulate itself upon having a building as cheaply and as well constructed as any of like character in the State, either public or private.

Fourth—Answering the charges set forth by Victor Hoffmann, Jr., to wit: That the specifications were forged with the view to serve the purpose of the contractor, beg to say: your committee, together with the Controller, compared the alleged forged specifications with the original, which was filed with the Controller, and find the charge without foundation, the two being identical and exact copies, and no changes or erasures appearing.

Fifth—Your committee having duly and carefully considered the charges set forth in said complaint, and the testimony taken in connection therewith, conclude that there is not a scintilla of evidence to warrant any of the said charges, the testimony to the contrary being conclusive, and we therefore freely and fully exonerate the contractor from any and all charges set forth.

We submit herewith a copy of the charges, together with the report of the expert sent to inspect the premises at Glen Ellen by the Controller; also, a copy of the transcript of the testimony taken before the committee.

All of which is respectfully submitted.

EVERETT, Chairman,
SEYMOUR,
BIGGY.

Senate Committee.
CURTIS, Chairman,
TAGGART,
BENNETT,
Assembly Committee.

On motion of Senator Everett, the report of the special committee was adopted and committee discharged.

URGENCY FILE—(RESUMED).

Senate Bill No. 327—An Act to appropriate money to pay the interest on State bonds belonging to the University of California, until the State may elect to pay the principal of said bonds.

Passed on file.

Senate Bill No. 721—An Act to appropriate money to pay the claim of Mrs. Louise Rienzi.

Passed on file.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Passed on file.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Passed on file, at request of author.

Senate Bill No. 403—An Act to amend section five hundred and twenty-seven of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out section one of the bill entirely, and renumber the sections of the bill accordingly.

Adopted.

AMENDMENT No. 2.

Amend section two, line nineteen, by inserting the word "than" after the word "other."

Adopted.

AMENDMENT No. 3.

Insert the words "and building" after the word "printing," on line twenty-three thereof.

Adopted.

AMENDMENT No. 4.

Insert the words "and the quality and the kind of materials" after the word "proper," on line twenty-five thereof.

Adopted.

AMENDMENT No. 5.

Insert the words "in accordance with the provisions of section three hundred and thirty-three of the Political Code" after the word "Legislature," on line twenty-six thereof.

Adopted.

AMENDMENT No. 6.

Insert the words "cost of building," after the word "printing" on line twenty-nine thereof.

Adopted.

AMENDMENT No. 7.

Insert the words "cost of building" after the word "printing," on line thirty-two thereof.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 528—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Passed on file.

Senate Bill No. 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of

California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 656—An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a mining bureau," and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the fund provided for their maintenance, to the University of California.

During the second reading of the bill, Senator Voorheis moved to strike out the enacting clause of the bill.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson 29.

NOES—Messrs. Burke, Langford, McAllister, and Ragsdale—4.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRESENTATION OF PETITIONS.

Senator Mahoney presented the following petition, and asked that it be read and printed in the Journal.

So ordered.

To the honorable Senate and Assembly of the State of California:

GENTLEMEN: Owing to the recent change in the law which abolished the House of Correction, and which provided that the prisoners therein should be confined in the county jail, there is now, and for the future we may expect to have daily, over four hundred prisoners in the county jail serving terms of sentence.

For the proper and safe control of such a large number of prisoners, it is necessary that they should work—perform labor of some kind. Last year there were over sixty-six thousand days' labor performed by the prisoners confined in the House of Correction. As an incentive to faithfully perform such labor, and give a prompt, willing, and cheerful obedience to the rules and regulations of the prison, the experience of the past has shown that credits for good behavior, by deducting five days each month for exceptionally good conduct, is the most potent factor.

We, the undersigned, would therefore most earnestly urge your honorable body to immediately pass a law empowering Boards of Supervisors, in their discretion, to give such credits for exceptionally good conduct of prisoners, and we, your petitioners, will ever pray.

L. R. Ellert, Mayor; William S. Barnes, District Attorney; James Denman, Supervisor Twelfth Ward; Sands W. Forman, Supervisor Fifth Ward; James Ryan, Supervisor Seventh Ward; Robert Day, Supervisor Eighth Ward; Patrick F. Dundon, Supervisor Ninth Ward; Wm. Hinton, Supervisor Tenth Ward; J. G. James, Supervisor Eleventh

Ward; Christian Reis, Supervisor Sixth Ward; Daniel Rodgers, Supervisor Second Ward; P. J. Kennedy, Supervisor Fourth Ward; Wm. Montgomery, Supervisor Third Ward; M. Goodwin, Supervisor First Ward; A. B. Maguire, Under Sheriff.

Referred to Committee on State Prisons and Prison Buildings.

Senator Ostrom presented the following protest from West Butte, Sutter County, California, and asked that it be printed in the Journal.

So ordered.

PROTESTS.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties and fifty towns refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by W. W. Wilbur and thirty-one others.

Senator Shippee presented the following protest, and asked that it be printed in the Journal.

So ordered.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties and fifty towns refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by Wm. Downing and sixty-five others.

REPORTS OF STANDING COMMITTEES.

THE SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Senate Bill No. 678—An Act to authorize and empower the Board of Supervisors of any city, or city and county, having more than one hundred thousand inhabitants, to close up and cause to be closed, any city cemetery or cemeteries, and to purchase another cemetery or cemeteries.

Also: Senate Bill No. 752—An Act to provide for the appointment of three additional deputies by County Recorders of cities and counties of more than one hundred thousand population.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

MAHER, Chairman.

ON PUBLIC BUILDINGS OTHER THAN PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on Public Buildings other than Prison Buildings, to whom was referred Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum," and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Also: Senate Bill No. 533—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of

the Mexican War, situate in the city cemetery of Sacramento, and for the improvement of said grounds.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 696—An Act relative to the insurance of property belonging to the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EVERETT, Chairman.

Senate Bill No. 533 re-referred to Committee on Finance.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Assembly Bill No. 277—An Act to prevent the sale of short-weight rolls of butter—have had the same under consideration, and respectfully report the same back without recommendation.

SHIPPEE, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bill No. 300—An Act to amend section three thousand seven hundred and thirty-one of the Political Code, relating to the duties of Auditors.

Also: Senate Bill No. 301—An Act to amend section three thousand eight hundred and five of the Political Code, relating to duplicate assessments.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 421—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding thereto a new section, to be numbered and designated as section three thousand eight hundred and sixty-three, relating to percentages and commissions on poll taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 196—An Act to amend section three thousand eight hundred and sixty-six of the Political Code, relating to settlements with the State—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 94—An Act amending section one hundred and twenty-four of the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, and adding to the Political Code two new sections, to be known and designated, respectively, as sections three thousand six hundred and forty and four thousand two hundred and six of the Political Code, relative to transfers of real estate and interests therein upon the county assessment book.

Also: Senate Bill No. 100—An Act adding a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, to be known and designated as section ninety-one and one half, and amending sections seventy-one, seventy-two, and one hundred and fifteen of said Act, and section three thousand eight hundred and ninety of the Political Code, the purpose of this Act being to consolidate the offices of County Tax Collector and County Treasurer, under the name of County Treasurer.

Also: Senate Bill No. 754—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

EARL, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Deeming it proper at this time to present to the Senate a statement of the amount of appropriations already passed and now pending, which have been favorably reported, to show the condition of the finances in relation to the 50-cent

limit of taxation, therefore your Finance Committee respectfully submit that Senate and Assembly Bills now in the executive office, approved or awaiting action, carry appropriations to the amount of \$569,791 33. The sum of \$432,987 of this amount is contained in Senate Bills.

In addition to the above, Senate Bills carrying appropriations to the amount of \$1,710,130, exclusive of allowances for redemption of and interest on bonds, have either passed the Senate or hold places on the file with recommendation that they do pass.

The estimates submitted by the Controller for the support of the State Government for the forty-fifth and forty-sixth fiscal years, amount to \$9,775,448. This includes \$500,000 for orphans and half-orphans; \$510,000 for aged persons in indigent circumstances; \$60,000 for inmates of Veterans' Home; and \$1,114,558 for common schools, but does not include \$300,000 for coyote scalps.

The Controller's estimates for the support of the State Government will surely be exceeded, as usual, but the exact amount of the excess cannot be ascertained before the General Appropriation Bill reaches the Senate. It will be necessary to provide in this bill for the maintenance of reform schools and asylums which the Controller did not include in his estimates. To cover this expense and meet other obligations which the Controller did not designate, may render necessary an addition of \$350,000 to the estimates.

The law directing the levy of 1 cent for the University leaves 49 cents to be levied under the 50-cent pledge. Assuming that the assessment roll be the same in 1893 and 1894 as in 1892, to wit: \$1,275,816,228, the levy of 49 cents, less the margin for delinquency in the collection of taxes, will raise \$11,877,849.

Against this amount stands:

| | |
|--|------------------------|
| The Controller's estimates | \$9,775,448 00 |
| Excess anticipated..... | 350,000 00 |
| Coyote scalps | 300,000 00 |
| Interest and redemption of bonds..... | 188,000 00 |
| Appropriations passed | 569,791 33 |
| Bills recommended in Senate "do pass"..... | 1,710,130 00 |
| Total | \$12,893,369 33 |
| Amount that the 50-cent tax will produce | 11,877,849 00 |
| Excess | \$1,015,520 33 |

If all the bills pending are passed, it will be necessary to cut down the appropriations contained in measures which have already passed the Senate and gone to the Assembly,

VOORHEIS, Chairman.

On motion of Senator Voorheis, the above report was ordered printed in the Journal.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

WHEREAS, Charles Robinson has kept the Senate gallery clean since the commencement of the session, and has acted as Porter, and has, up to the present time, received no compensation, except the payment received for service rendered during the temporary organization; therefore, be it

Resolved, That said Charles Robinson be allowed compensation for such service rendered at a per diem of four dollars, from the ninth of January until the eighteenth of February, the same to be paid out of the Contingent Fund of the Senate, and that the Controller be and he is hereby directed to draw his warrant for the same.

After making a thorough investigation and consulting with the Sergeant-at-Arms, we find that Mr. Robinson is not an attaché of the Senate, and therefore the claim is not a just or meritorious one—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

STREETER, Chairman.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 162—An Act to encourage fiber culture, and to make an appropriation therefor—have had the same under consideration, and respectfully report a substitute back without recommendation.

SEYMOUR, Chairman.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 60—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, and to renumber said section, relating to defrauding proprietors or managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Also: Senate Bill No. 608—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution," approved March 2, 1891.

Also: Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

Also: Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriage.

Also: Senate Bill No. 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor.

Also: Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same.

RAGSDALE, Chairman.

RESOLUTION.

By Senator Everett:

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of D. H. Everett, the Chairman of the joint committee appointed to investigate charges of fraud in connection with some of the buildings at the Home for the Care and Training of Feeble-Minded Children, located at Glen Ellen, in Sonoma County, for the amount of seven hundred and thirty-three dollars and eighty cents (\$733 80), for expenses incurred in such investigation, as per bills hereto attached, and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate:

Witnesses before Committee on Public Buildings other than Prison Buildings, in case of charges of fraud in buildings at Glen Ellen, Sonoma County, California.

| | Miles. | Days. | Amount. | Mileage. | Total. |
|---------------------------------------|--------|-------|---------|----------|--------------------|
| F. W. Lougee, San Francisco..... | 84 | 2 | \$4 00 | \$16 80 | \$20 80 |
| W. G. Copeland, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| V. Hoffmann, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| Geo. W. Gibbs, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| M. F. Redmond, Glen Ellen..... | 133 | 2 | 4 00 | 26 60 | 30 60 |
| A. McElroy, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| J. T. Peters, Santa Clara..... | 128 | 2 | 4 00 | 25 60 | 29 60 |
| A. P. Overton, Santa Rosa..... | 141 | 2 | 4 00 | 28 20 | 32 20 |
| Richard McCann, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| H. Williamson, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| G. H. Walker, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| W. S. Wood, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| C. V. Pierce, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| Thomas Rodgers, Sergeant-at-Arms..... | 2,484 | | | | \$300 40
248 40 |
| Total..... | | | | | \$548 80 |

State of California to Luke Kavanagh, Dr.:

To reporting and transcribing testimony in the matter of the investigation of the construction of some of the buildings for the Home of the Feeble-Minded, located at Glen Ellen.....

\$85 00

State of California to E. J. Croly, Dr.:

| | |
|---|----------|
| To expenses..... | \$25 00 |
| To services examining buildings at Glen Ellen and reporting on same, by authority of Hon. E. P. Colgan, State Controller, and Hon. Wm. H. H. Hart, Attorney-General of State..... | 75 00 |
| Total..... | \$100 00 |

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, 1
SACRAMENTO, February 23, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 279, 573, 125, 212, and 206.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, 1
SACRAMENTO, February 28, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 364, 114, 346, 267, 9, 1, 11, 174, 72, 62, 177, 20, and 401.

H. H. MARKHAM, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of cooperative associations.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted, and ordered immediately transmitted to the Senate, Assembly Constitutional Amendment No. 4—Relative to a Board of Railroad Commissioners.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

Also: Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 473—An Act to increase the revenue by the taxation of incomes.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, town, and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of February, amended and passed as amended, Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of innavigable streams, and the protection of land adjacent thereto.

Also: Passed Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Also: Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Also: Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, and three thousand eight hundred and seventeen; and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property; and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain Acts of the governing bodies thereof, relative to franchises, shall take effect.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of February, respectfully refused to pass Senate Bill No. 103—An Act to amend section one thousand seven hundred and sixty-three of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to serving notice of application for letters of guardianship on insane and incompetent persons.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 193 ordered on file, without reference to committee.
Assembly Constitutional Amendment No. 4 referred to Committee on Constitutional Amendments.

Senate Bill No. 349 ordered to enrollment.

Assembly Bill No. 839 referred to Committee on Public Printing.

Assembly Bill No. 473 referred to Committee on Finance.

Senate Bill No. 122 ordered to enrollment.

Assembly Bill No. 365 referred to Committee on Finance.

Assembly Bill No. 264 ordered on file, without reference to committee, on motion of Senator Mathews.

On motion of Senator Mathews, Assembly Bill No. 81 was ordered placed on file, without reference to committee, it being identical with a Senate bill already referred and reported on.

ASSEMBLY AMENDMENTS.

Senator Mathews moved that the Senate do now concur in Assembly amendments to Senate Bill No. 218.

The amendments were read, and concurred in, in the following order:

1. On line nine strike out the word "one" after the word "than," and in place thereof insert "two."
2. On lines eleven and twelve strike out the words "ten dollars a month," and in the place thereof insert "a reasonable sum."
3. On line twelve strike out the word "year," and in the place thereof insert "time if able so to do."

Bill ordered reëngrossed as amended and to enrollment.

RESOLUTION.

By Senator Mahoney:

Resolved, That the provision of the Constitution relating to the time in which bills may be introduced is hereby suspended, and permission granted to Senator Mahoney to introduce Senate Bill No. 779.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—32.

NOES—None.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Mahoney: Senate Bill No. 779—An Act to amend section one thousand six hundred and fourteen, title two, of the Penal Code of the State of California, in relation to the government of prisoners sentenced to terms of imprisonment in county jails.

Referred to Committee on State Prisons and Prison Buildings.

WITHDRAWAL OF BILL.

Senator Mathews, with consent of the Senate, withdrew Senate Bill No. 268.

MOTION.

Mr. Ford moved that two hundred and fifty copies of the report of the special Senate committee upon the conduct, management, and needs of the Reform School for Juvenile Offenders, at Whittier, Los Angeles County, be printed.

So ordered.

The hour of two o'clock having arrived, the consideration of Assembly bills by joint rules set for this hour was proceeded with.

SPECIAL ASSEMBLY FILE.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1884 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Passed on file.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Passed on file.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Passed on file.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Senator Seymour moved to amend, as follows:

Amend section one by adding after the words "forever barred," the following: "and as additional security for the payment of all said bonds and interest thereon, the Board of Directors shall have power to pledge, by mortgage, trust deed, or otherwise, all property of the district situate within or without the district, whether real, personal, or mixed, of whatsoever kind, including all its rights and privileges, held or possessed at the time of the issue of said bonds, or which may thereafter be acquired under the provisions of this Act."

Adopted.

Senator Orr moved to amend, as follows:

Amend by striking out of section one, line five to line seven, inclusive.

Adopted.

Assembly Bill No. 138 read second time, ordered to print as amended, and on file for third reading.

Assembly Joint Resolution No. 4—Relating to the free and unlimited coinage of silver.

Passed on file.

Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Read second time, and ordered to a third reading.

Assembly Bill No. 77—An Act to amend section ten of "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889.

SUBSTITUTION.

Senator Mathews was granted unanimous consent to withdraw Assembly Bill No. 77 (No. 399 on file), and to substitute therefor Assembly Bill No. 296.

Assembly Bill No. 77 withdrawn, and Assembly Bill No. 296 substituted therefor on file.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to "An Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Read second time, and, on motion of Senator Burke, re-referred to Committee on Judiciary, and declared to be open to amendment, without reference to special committee.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Read second time, and ordered to a third reading.

WITHDRAWAL OF BILL.

Senator Seymour, by unanimous consent of the Senate, withdrew Senate Bill No. 256.

SPECIAL ASSEMBLY FILE—(RESUMED).

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Read second time, and ordered to a third reading.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Read second time, and ordered to a third reading.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Referred to Committee on Banks and Banking, on motion of Senator Orr.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Read second time, and ordered to a third reading.

Assembly Bill No. 82—An Act to amend sections one thousand three hundred and three, one thousand three hundred and twenty-three, one thousand three hundred and sixty-five, one thousand three hundred and eighty-eight, one thousand four hundred and thirty-nine, one thousand five hundred and sixteen, one thousand five hundred and seventeen, one thousand five hundred and thirty-six, one thousand five hundred and forty-five, one thousand five hundred and forty-seven, one thousand five hundred and forty-eight, one thousand five hundred and fifty, one thousand five hundred and fifty-one, one thousand five hundred and fifty-two, one thousand five hundred and fifty-three, one thousand five hundred and fifty-four, one thousand five hundred and fifty-seven, one thousand five hundred and fifty-eight, one thousand five hundred and sixty-five, one thousand five hundred and ninety-two, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, and one thousand six hundred and eighteen, and to repeal sections one thousand five hundred and eighteen, one thousand five hundred and nineteen, one thousand five hundred and twenty-two, one thousand five hundred and twenty-three, one thousand five hundred and twenty-four, one thousand five hundred and twenty-six, one thousand five hundred and twenty-nine, one thousand five hundred and thirty, one thousand five hundred and thirty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and thirty-seven, one thousand five hundred and thirty-eight, one thousand five hundred and thirty-nine, one thousand five hundred and forty, one thousand five hundred and forty-one, one thousand five hundred and forty-two, one thousand five hundred and forty-three, one thousand five hundred and forty-four, one thousand five hundred and forty-nine, and one thousand five hundred and fifty-six, and to add four new sections, to be known and designated as sections one thousand five hundred and forty-six, one thousand five hundred and fifty-four and one half, one thousand five hundred and ninety-two, and one thousand five hundred and ninety-seven and one half of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

MOTION.

Senator Earl moved to strike out the enacting clause of the bill.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Earl, Fay, Harp, Hart, McGowan, Maher, Mahoney, Mitchell, Orr, Ragsdale, Seymour, Simpson, Whitehurst, and Williams—21.

NOES—Messrs. Carpenter, Flint, McAllister, Mathews, Ostrom, Streeter, and Wilson—7

Assembly Bill No. 83—An Act to amend sections one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-seven, one thousand seven hundred and eighty-eight, and one thousand seven hundred and eighty-nine, and repealing sections one thousand seven hundred and seventy-eight, one thousand seven hundred and eighty-one, one thou-

sand seven hundred and eighty-two, one thousand seven hundred and eighty-three, one thousand seven hundred and eighty-four, one thousand seven hundred and eighty-five, one thousand seven hundred and eighty-six, and one thousand seven hundred and eighty-seven of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as section one thousand seven hundred and seventy-one and one half, also relating to the guardianship of the persons and estates of minors and incompetents.

MOTION.

Senator Earl moved to strike out the enacting clause of the bill.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Dunn, Earl, Everett, Fay, Harp, McGowan, Maher, Mahoney, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Williams—21.

NOES—Messrs. Biggy, Carpenter, Gesford, Goucher, McAllister, Mathews, Ostrom, Streeter, and Wilson—9.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read second time, and ordered to a third reading.

Assembly Constitutional Amendment No. 12—Proposing to the people of the State of California an amendment to section seventeen, article one, of the Constitution of the State of California.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—30.

NOES—None.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting in line four after the word "destroy," the following: "or have in his possession, dead or alive, except for purposes of propagation."

Adopted.

AMENDMENT No. 2.

Amend by striking out the word "English" before the word "snipe," in line five.

Adopted.

AMENDMENT No. 3.

Amend by inserting in line eleven, after the word "destroy," the following: "or have in his possession."

Adopted.

AMENDMENT No. 4.

Amend by inserting in line twenty-eight, after the word "sale," the following: "or give away."

Adopted.

AMENDMENT No. 5.

Amend by inserting in line thirty-five, after the word "destroy," the following: "or have in his possession, except for purposes of propagation."

Adopted.

AMENDMENT No. 6.

Amend by striking out line forty-six, line forty-seven, line forty-eight, line forty-nine, and line fifty.

Adopted.

AMENDMENT No. 7.

Amend by striking out lines fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, and sixty-three.

Adopted.

AMENDMENT No. 8.

Amend by inserting in line sixty-six, after the word "sale," the following: "or give away."

Adopted.

AMENDMENT No. 9.

Amend by striking out line sixty-nine, line seventy, line seventy-one, line seventy-two, line seventy-three, and line seventy-four.

Senator Ostrom moved to amend the amendment as follows:

By adding after the words "line seventy-four" the words "lines seventy-five and seventy-six."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Broderick, Campbell, Dunn, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Simpson, Whitehurst, Williams, and Wilson—20.

NOES—Messrs. Berry, Carpenter, Denison, Flint, Goucher, Langford, McAllister, Orr, Ragsdale, Seymour, Streeter, and Voorheis—12.

AMENDMENT No. 10.

Amend by inserting in line eighty after the word "any," the following: "inclosed or cultivated."

Adopted.

Senator Carpenter moved to amend as follows:

On line four strike out "October" and insert "September." In line thirteen, after the word "next," insert "except from September first to October fifteenth in each year."

Adopted.

Senator Voorheis moved to amend as follows:

By striking out of section one, lines eighty-four, eighty-five, and eighty-six.

Adopted.

Read second time.

Bill ordered to print as amended, and to be placed on second reading file, open to amendment.

The hour of three o'clock and thirty minutes p. m. having arrived, the Senate proceeded to the consideration of urgency file as per Senate rules.

RESOLUTION.

By Senator Voorheis:

Resolved, That Senate Constitutional Amendment No. 7, Senate Bills Nos. 434, 141, 686, Assembly Bill No. 90, Senate Bills Nos. 188, 208, 556, Assembly Bill No. 30, Senate Bills Nos. 13, 530, Assembly Bill No. 734, Senate Bills Nos. 553, 730, 525, 156, Assembly Bill No. 700, Senate Bills Nos. 381, 624, 604, 193, 572, 292, 661, 95, 655, 759, 729, 334, 606, 299, 633, 748, Assembly Bills Nos. 416, 245, Senate Bill No. 369, Assembly Bill No. 188, and Senate Bill No. 772 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the above Senate Constitutional Amendment and the above bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said Senate Constitutional Amendment and bills shall be read the first, second, and third times, and placed upon their passage.

The roll was called, and the above Senate Constitutional Amendment and Senate and Assembly Bills declared cases of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Gosford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

CASES OF URGENCY.

Senate Constitutional Amendment No. 7.—To propose to the people of the State of California an amendment to the Constitution of the United States, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Senator Mathews moved to amend, as follows:

By striking out of title the words "United States," and inserting in lieu thereof the following: "State."

Adopted.

Also:

Amend by striking out of line one the words "Resolved by the Assembly, the Senate concurring," and inserting in lieu thereof the following: "Resolved by the Senate, the Assembly concurring."

Adopted.

Also:

Amend by inserting the following in line two of printed bill, before the word "general:" the word "first."

Adopted.

Also:

Amend by striking out of lines three and four of printed bill the words: "In the year eighteen hundred and ninety-eight, and at each gubernatorial election thereafter," and inserting in lieu thereof the following: "after the adoption of this amendment, and at each general election every four years."

Adopted.

Also:

Amend by striking out of lines seventeen, eighteen, and nineteen of printed bill the words "the present State Board of Equalization shall continue in office until their successors, as herein provided for, shall be elected and qualified," and inserting in lieu thereof the following: "the State Board of Equalization, elected in eighteen hundred and ninety-four, shall continue in office until their successors, as herein provided for, shall be elected and shall qualify."

Adopted.

Senate Constitutional Amendment No. 7 as amended ordered to print.

SECOND AND THIRD READING OF BILL.

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

The following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 434.

An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person desiring to purchase any of the lands uncovered by the recession or drainage of the waters of inland lakes, and inuring to the State by virtue of her sovereignty, or the swamp and overflowed lands not segregated by the United States, shall make an application therefor to the Surveyor-General of the State, which application shall be accompanied by the applicant's affidavit that he is a citizen of the United States, or has declared his intention to become such, a resident of this State, of lawful age, that he desires to purchase such lands (describing the same by legal subdivisions, or by metes and bounds if the legal subdivisions are unknown) under the provisions of this Act; that he desires to purchase the same for his own use and benefit, and for the use and benefit of no other person or persons whomsoever, and that he has made no contract or agreement to sell the same, and that he does not own any State lands which, together with that now sought to be purchased, exceeds six hundred and forty acres.

SEC. 2. Upon the filing of said application, the Surveyor-General, when the land has not been sectionized, shall authorize the County Surveyor of the county where the whole or greater portion of the land lies, to survey the same, who shall make an actual survey thereof, at the expense of the applicant, establishing four corners to each quarter section, and connecting the same with a United States survey; and he must, within thirty days, file with the Surveyor-General a copy, under oath, of his field notes and plat, and a statement under oath, showing whether or not the land is occupied by any actual settler.

SEC. 3. If the surveyor thus authorized shall fail to make his return to the Surveyor-General within the time specified in the preceding section, the Surveyor-General may designate another person to make the said survey.

SEC. 4. No application to purchase land under this Act shall be approved by the Surveyor-General until the expiration of ninety days from the filing thereof in his office, and meanwhile the land shall be subject to the adverse claim of any actual settler who was residing thereon when the said application was filed.

SEC. 5. The swamp and overflowed lands designated in this Act shall be sold and patented at the same price and on the same terms and manner of payment as at present provided for swamp and overflowed lands. All moneys received for said swamp and overflowed lands shall be paid into the Swamp Land Fund of the county in which the lands are situated, and shall be treated and disposed of in the manner as moneys arising from the sale of segregated swamp and overflowed lands. If any of the lands are suitable for cultivation without reclamation, such lands shall be sold only to actual settlers in tracts not exceeding three hundred and twenty acres. Lands uncovered by the recession or drainage of the waters of inland lakes shall be sold at two dollars and fifty cents per acre, and upon the same terms of payment as swamp and overflowed land. All moneys derived from the sale of such uncovered lands shall be paid into the School Fund of the county where the land lies.

SEC. 6. Any of the lands designated in this Act which, by reason of periodical overflow, need and are susceptible of reclamation, may be reclaimed by the formation of districts, in the same manner and subject to all of the provisions of law regulating the reclamation of swamp and overflowed lands; *provided*, that the Board of Supervisors of

the county in which the lands or the greater part thereof are situated, must first determine, upon proper petition presented therefor, by the holders of the title or evidence of title, representing one half or more of any body of such land, that such reclamation is necessary and feasible.

SEC. 7. When land has been sold under this Act, no contest shall be maintained against the purchaser on the ground that the land is not of the character stated in the application, unless it is shown that it is not of the character recited in section one of this Act.

SEC. 8. All uncanceled certificates of purchase and patents heretofore issued and payments heretofore made for any lands as swamp and overflowed lands, which lands belong to any of the classes described in section one of this Act, whether or not such lands were segregated or sectionized, shall for all purposes be valid, and shall have the same force and effect as if such lands had been at all times subject to sale as swamp and overflowed lands; *provided, however*, that any and all contests now existing between settlers and holders of certificates of purchase shall not be affected by the provisions of this Act.

SEC. 9. All plats of any of the lands described in section one of this Act, which have been heretofore made under authority of the United States Surveyor-General, and which plats designate the same as swamp and overflowed lands, shall be deemed valid and effectual as surveys of such lands from and after the date thereof.

SEC. 10. This Act shall take effect from and after its passage.

Substitute adopted.

Substitute bill read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that on to-morrow he would move to reconsider the vote whereby Committee Substitute for Senate Bill No. 434 was on this day passed.

LEAVE OF ABSENCE.

Senator Arms was granted leave of absence for the balance of the day, on motion of Senator Gesford.

Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.

Senator Burke moved to amend, as follows:

By striking out of section one, line two, the words after the word "California," and inserting the following: "and all other persons who earn their living by common labor."

The roll was called on the adoption of the amendment.

CALL OF THE SENATE.

Before the vote was announced, Senator Ford moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

All the Senators, without leave of absence, being present and having answered to their names, the President declared that further proceedings under the call were dispensed with.

The President ordered a new roll call on the adoption of the amendment offered by Senator Burke.

The roll was called, and the amendment declared lost by the following vote:

AYES—MESSRS. Berry, Burke, Fay, Flint, Gesford, Harp, Langford, Mathews, Orr, Ostrom, Ragsdale, Streeter, Whitehurst, and Wilson—14.

NOES—MESSRS. Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Ford, Goucher, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Seymour, Simpson, Voorheis, and Williams—22.

Senator Shippee was paired with Senator Arms.

Senator Shippee would have voted "aye."

Senator Arms would have voted "no."

AMENDMENTS.

COMMITTEE AMENDMENT No. 1.

Amend by inserting the following at the end of section two: "But no teacher shall be retired under the provisions of this section, except upon satisfactory proof of such service for the length of time in this section specified."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section eleven all of line four after the word "Act," all of line five, all of line six, and all of line seven.

Adopted.

Bill as amended ordered to print, engrossment, and on file for third reading.

Senate Bill No. 686—An Act to amend section three thousand and five of the Political Code, in relation to Boards of Health.

Bill read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—MESSRS. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

President pro tem. R. B. Carpenter in the chair.

SECOND AND THIRD READING OF BILLS.

Assembly Bill No. 90—An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement.

Read second time, considered engrossed, and read third time.

Before the roll was called on the final passage of the bill, Senator Wilson moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

On motion of Senator Broderick, further proceedings under the call of the Senate were dispensed with.

The roll was called on the final passage of Assembly Bill No. 90, and the same was finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—32.

NOES—Senator Everett—1.

Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

After second reading, Senator Campbell submitted the following substitute, which was adopted:

SUBSTITUTE FOR SENATE BILL No. 188.

An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of eight thousand one hundred eleven and fifteen one hundredths dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to pay the claim of Major José Ramon Pico.

SEC. 2. The Controller of State is hereby directed to draw his warrant in favor of Major José Ramon Pico, or his assigns, in the sum of eight thousand one hundred eleven and fifteen one hundredths dollars, and the State Treasurer is directed to pay the same, and the direction herein is hereby exempted from the provisions of section six hundred and seventy-two of the Political Code.

SEC. 3. This Act shall take effect immediately.

Substitute for Senate Bill No. 188 ordered to print, engrossment, and on file for third reading.

RECESS.

At four o'clock and fifty minutes P. M., on motion of Senator Broderick, a recess was declared until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names.

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

Also: Senate Joint Resolution No. 25—Memorializing the Attorney-General and the Secretary of the Interior of the United States of America to locate one of the United States prisons, provided for by an Act of Congress, March 3, 1891, within the State of California.

Also: Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Also: Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Also: Senate Bill No. 347—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds.

RAGSDALE, Chairman.

GENERAL FILE—THIRD READING OF BILLS.

Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Denison, Dunn, Earl, Fay, Flint, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—29.

NOES—Senator Broderick—1.

Title read and approved.

Senate Bill No. 390—An Act to amend section six hundred and eighty-three of the Code of Civil Procedure of the State of California, relating to the return on execution.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—29.

NOES—None.

Title read and approved.

Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

Passed on file temporarily.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

REQUEST.

Senator Simpson asked unanimous consent to withdraw Senate Bill No. 207 (No. 55 on file), and to substitute therefor Senate Bill No. 128 (No. 75 on file).

The roll was called, and right to withdraw denied by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Campbell, Carpenter, Everett, Fay, Ford, Mahoney, Martin, Mathews, Orr, Ragsdale, Simpson, Voorheis, and Williams—16.

NOES—Messrs. Berry, Biggy, Burke, Denison, Dunn, Earl, Flint, Gosford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mitchell, Seawell, Seymour, Shippee, Streeter, Whitehurst, and Wilson—22.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that on to-morrow he would move a reconsideration of the vote whereby Senator Simpson was denied permission to withdraw Senate Bill No. 207.

The bill was then taken up for consideration.

Senator McGowan, on behalf of Committee on Judiciary, moved that the bill be recommitted to Senator Earl, as a committee of one, to amend, as follows:

Amend by striking out of said Act all of section one, and insert in lieu thereof the following:

"SECTION 1. The Governor, on or before the first day of July, eighteen hundred and ninety-three, must appoint three Boards of Medical Examiners, consisting of seven persons each, and they shall be seven persons from the "Medical Society of the State of California," seven persons from the "Eclectic Medical Society of the State of California," and seven persons from the "California State Homeopathic Society," respectively. Said appointees must be citizens of the United States and of the State of California, graduates in medicine from some legally chartered medical school of such school of medicine, and be representative men in their profession, as well as legally qualified practitioners of medicine in this State. Said Boards shall be known as the Allopathic Board of Medical Examiners, Eclectic Board of Medical Examiners, and Homeopathic Board of Examiners, respectively, and their term of office shall be four years and until their successors shall have been appointed and qualified; *except, however*, that the persons first appointed as members of any such Board shall, at their first meeting, so classify themselves by lot that one of them shall go out of office in one year, two in two years, two in three years, and two in four years, and the Governor shall appoint successors accordingly. Vacancies occurring in said Board shall be filled by appointments by the Governor to fill the unexpired term."

Also: Amend by striking out all of section two and insert in lieu thereof the following:

"SEC. 2. Each member of said Boards shall, before entering upon the duties of his office, take the constitutional oath of office, and shall, in addition, make oath that he is a graduate in medicine, of the school of medicine represented by the Board to which he is appointed, and a legally qualified practitioner of medicine in this State."

Also: Amend section three by striking out on line one, section three of printed bill, the words "The Board," and insert in lieu thereof the following: "Each of said Boards."

Also: Amend section five by striking out after the word "medicine," on line twenty-one, section five of printed bill, all down to and including the word "applicant," on line twenty-six; also, by striking out the word and figures, "twenty (20)," on line thirty-two, and insert in lieu thereof, "ten (10);" also, by striking out on line thirty-four, the word and figures, "ten (10)," and insert in lieu thereof, "five (5)."

Also: Amend section eleven, by striking out after the word "Act," on line three, section eleven of printed bill, all down to and including "traveling expenses," on line seven.

Also: Amend section eleven by inserting after the word "Act," on line eight, section eleven of printed bill, the words "or from the treasury of the society represented by said Board."

Also: Amend the title of said Act by striking out from the title the words "A Board," and insert instead the word "Boards."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 207, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

EARL, Committee.

Report of special committee and amendments adopted.

MOTION.

Senator Orr moved that the bill be recommitted to Senator Mahoney, as a special committee of one, to amend as follows:

Amend by inserting in section sixteen, line one, after the word "surgeons," the words "and ex-surgeons."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 207, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

MAHONEY, Committee.

Report of special committee of one adopted.

Bill ordered to print and reëngrossment as amended.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Passed on file.

Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Passed on file.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 38—An Act to appropriate money to institutions supporting and maintaining aged persons in indigent circumstances afflicted with incurable diseases.

RAGSDALE, Chairman.

GENERAL FILE—(RESUMED)—THIRD READING OF BILLS.

Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

Title read and approved.

Senate Bill No. 38, passed temporarily, was taken up for consideration.

Senate Bill No. 38—An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, and Wilson—32.

NOES—None.

Title read and approved.

Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—32.

NOES—None.

Title read and approved.

Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Title read and approved.

Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 358—An Act to amend an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Gesford, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 404—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners.

The following committee amendment was submitted:

Amend by striking out of section one, line ten, the words "Board of Examiners," and inserting in lieu thereof the following: "printing expert;" and on line eleven insert "expert" in lieu of the word "Board," which strike out; and also, at close of said section, insert "and he shall file as a voucher with said Board a duplicate copy of the expense, or way-bill of the transportation company or other carrier that carried said materials to the State Printing Office."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 472—An Act to add a new section to title eleven, chapter one, of part two of the Penal Code of the State of California, to be designated section one thousand four hundred and sixty-two, and relating to the issuance of writs of execution for the purpose of collecting fines imposed in criminal cases.

Bill read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 399—An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California, with railroad corporations organized under the laws of any other State or Territory, or both.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Maher was granted unanimous consent to withdraw Senate Bill No. 399 (No. 65 on file), and to substitute therefor Senate Bill No. 457.

Senate Bill No. 457—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

The following committee amendment was submitted:

After the word "officer," in section three thousand two hundred and forty-five, in section one of printed bill, line four, insert the following: "Board of Commissioners, Board of Trustees, or Board of Directors."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 400—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

The following committee amendment was submitted:

Amend by striking out of printed bill, section one, line eleven, the word "its," and insert in lieu thereof the word "all."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 102—An Act to amend an Act entitled "An Act to establish a Political Code," adopted February 14, 1872, by adding a new section thereto, to be numbered section five hundred and ninety-three, relating to the destruction of trees growing upon highways.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 59—An Act to amend section two hundred and sixty-seven of the Penal Code of the State of California, relating to the crime of abduction.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Gesford was granted unanimous consent to withdraw Senate Bill No. 59 (No. 68 on file), and to substitute therefor Senate Bill No. 673.

President pro tem. R. B. Carpenter in the chair.

Senate Bill No. 673—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Read second time, and ordered to engrossment and to a third reading.

Substitute for Senate Bill No. 33—An Act to provide for organizing and maintaining paid fire departments within cities and towns, or cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively.

Senator Hart moved that Substitute for Senate Bill No. 33 be re-referred to the Committee on City, City and County, and Town Governments.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Broderick, Carpenter, Dunn, Earl, Everett, Flint, Goucher, Hart, McGowan, Maher, Mahoney, Mathews, Ragsdale, Seymour, Streeter, and Williams—16.

NOES—Messrs. Berry, Fay, Harp, McAllister, Martin, Mitchell, Ostrom, Simpson, and Wilson—9.

Senator Fay moved that the Committee on City, City and County, and Town Governments be instructed to report this bill back to the Senate the day after to-morrow.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 407—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of

this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Senator McAllister moved to amend, as follows:

By inserting in section one, line one, the word "innavigable," between the words "all" and "waters."

Adopted.

Senator Flint moved to amend, as follows:

By inserting an enacting clause, as follows: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

LEAVE OF ABSENCE.

At nine o'clock p. m. Senator Fay was granted leave of absence for the remainder of the evening.

MOTIONS.

Senator Mathews moved that the Senate do now concur in the following amendment of the Assembly to Senate Bill No. 652:

Amend by striking out of title the word "navigable," and inserting the word "innavigable" in lieu thereof, and inserting the word "running" in line two of section two, after the word "innavigable."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Gesford, Goucher, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Senate Bill No. 652 ordered reingrossed as amended and to enrollment.

Senator Goucher called up for consideration the following minority report of the Committee on Attachés, Contingent Expenses, and Mileage:

SENATE CHAMBER, SACRAMENTO, February 23, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Ike Mooser be and he is hereby allowed mileage as Sergeant-at-Arms to the Committee on Public Buildings other than Prison Buildings during the investigation of the San Bernardino Asylum for the Insane, and the Controller is hereby directed to draw his warrant in favor of Ike Mooser for the sum of one hundred and seventeen dollars and sixty cents (\$17 60), and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

STREETER, Chairman.

Senator Maher moved the adoption of the minority report.

Senator Goucher offered the following addition and amendment to said report:

Resolved, That Ike Mooser be and he is hereby allowed mileage as Sergeant-at-Arms to the Committee on Public Buildings other than Prison Buildings during the investigation of the San Bernardino Asylum for the Insane, and the Controller is hereby directed to draw his warrant in favor of Ike Mooser for the sum of one hundred and fifteen dollars (\$15), and the Treasurer is directed to pay the same.

Senator Voorheis moved to refer the whole subject-matter to the Committee on Attachés, Contingent Expenses, and Mileage.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Biggy, Burke, Campbell, Carpenter, Earl, Flint, Gesford, Hoyt, McAllister, McGowan, Maher, Mathews, Orr, Ragsdale, Seymour, Shippee, Streeter, Voorheis, and Whitehurst—20.

NOES—Messrs. Arms, Berry, Broderick, Dunn, Everett, Ford, Goucher, Harp, Hart, Martin, Mitchell, Ostrom, Seawell, Simpson, Williams, and Wilson—16.

At nine o'clock and ten minutes P. M. Senator Goucher moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Berry, Goucher, Harp, Hart, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Streeter, and Whitehurst—13.

NOES—Messrs. Arms, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Gesford, Hoyt, McAllister, McGowan, Maher, Mitchell, Seymour, Shippee, Simpson, Voorheis, and Wilson—23.

LEAVE OF ABSENCE.

At nine o'clock and fifteen minutes P. M. Senator Martin was granted leave of absence for two hours and fifteen minutes.

MOTION.

Senator Gesford moved to take up Assembly messages.

LEAVE OF ABSENCE.

Senator Streeter was granted leave of absence for the remainder of the evening.

CALL OF THE SENATE.

Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

MOTION.

Senator Maher moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Everett, Ford, Gesford, Hart, Maher, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, and Whitehurst—20.

NOES—Messrs. Berry, Broderick, Dunn, Flint, Goucher, Harp, Hoyt, McGowan, Mahoney, Mitchell, Orr, Seawell, and Wilson—13.

ADJOURNMENT.

At nine o'clock and twenty-three minutes P. M. Senator Everett moved to adjourn.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Denison, Dunn, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, and Whitehurst—22.

NOES—Messrs. Arms, Biggy, Broderick, Carpenter, Gesford, McGowan, Mahoney, Shippee, and Voorheis—9.

Whereupon, at nine o'clock and twenty-five minutes P. M., the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, March 2, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Broderick.

RESOLUTION—(OUT OF ORDER).

By Senator Ford:

Resolved, That for and by reason of services rendered by E. Cowan in cleaning Senate committee rooms, and furnishing Senators with clean towels, and taking care of toilet room, from the seventh day of January to the twenty-seventh day of February, inclusive, the State Controller is hereby directed to draw his warrant, and the State Treasurer is directed to pay the same, in favor of the E. Cowan, in the sum of ninety-two (\$92) dollars, in payment of the same, being payable out of the appropriation for the contingent expenses of the Senate.

Forty-six days at two dollars per day equals ninety-two dollars.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

SPECIAL ORDERS.

Reconsideration of the vote whereby Senate Bill No. 323 was passed on February 20, 1893.

On motion of Senator Orr, the above special order was postponed, and made a special order for Saturday next, immediately after reading the Journal.

Reconsideration of the vote whereby Senate Bill No. 133 was refused passage.

On motion of Senator Voorheis, the above special order was postponed and made a special order for Saturday next, immediately after reading the Journal.

Reconsideration of the vote whereby Senate Bill No. 75 was refused passage.

On motion of Senator Maher, the above special order was postponed, and made a special order for Saturday next, immediately after reading the Journal.

Reconsideration of the vote whereby Assembly Concurrent Resolution No. 7 was defeated.

Senator Ostrom moved to reconsider the vote whereby Assembly Concurrent Resolution No. 7 was defeated.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Dunn, Earl, Fay, Gesford, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—19.

NOES—Messrs. Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—21.

Senator Ford gave the following as an explanation of his vote: "I vote 'No' for the reason that it is apparent that the necessary two-thirds vote in the affirmative cannot be obtained, and a reconsideration would be simply a waste of valuable time."

Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Senator Ostrom moved to postpone the further consideration of the above special order until to-morrow, immediately after reading the Journal.

Lost.

During the second reading of Senate Bill No. 173, Senator Ostrom moved to amend, as follows:

Amend by striking out of section one, line four, the word "goods," and inserting the following: "bags."

Adopted.

Senator Orr moved to strike out the enacting clause of the bill, pending debate.

On motion of Senator Ostrom, the further consideration of Senate Bill No. 173 was postponed, and made a special order for to-morrow morning, immediately after reading the Journal.

The hour of ten o'clock and thirty minutes A. M. having arrived, the Senate proceeded to consider bills on the urgency file.

URGENCY FILE.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Passed on file.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Senate Bill No. 327—An Act to appropriate money to pay the interest on State bonds belonging to the University of California, until the State may elect to pay the principal of said bonds.

Passed on file.

Senate Bill No. 721—An Act to appropriate money to pay the claim of Mrs. Louise Rienzi.

Passed on file.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Passed on file.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

THIRD READING OF BILLS.

Senate Bill No. 608—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution," approved March 2, 1891.

Read third time, and on motion of Senator Gesford, the vote on final passage was postponed temporarily, the bill to retain its place on file.

Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mitchell, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—Messrs. Ostrom and Ragsdale—2.

Title read and approved.

Senate Bill No. 347—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—36.

NOES—None.

Title read and approved.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Passed on file.

Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Passed on file, to retain its place, on motion of Senator Streeter.

Senate Bill No. 528—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Passed on file.

RECESS.

At eleven o'clock A. M. the President declared a recess until eleven o'clock and ten minutes A. M.

REASSEMBLED.

At eleven o'clock and ten minutes A. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

URGENCY FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

Read second time.

AMENDMENTS.

Senator Ford moved to amend as follows:

Amend by striking out all after the enacting clause, and insert in lieu thereof the following:

SECTION 1. There shall be and there is hereby established in the State of California a Mining Bureau, the principal office of which shall be maintained in the city of San Francisco, which said Mining Bureau shall be under the supervision of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, and it shall be the duty of, and the Governor of the State of California is hereby authorized and empowered, to appoint five residents and citizens of the State to be such Trustees.

SEC. 2. The appointees shall take the same oath of office as other State officers, and, when duly qualified and assembled, shall constitute the Board of Trustees of the State Mining Bureau. They shall hold office for four years from the date of their appointment, or until the qualification of their successors, and shall receive no compensation for their services. They shall have control of all properties and funds of said Bureau, and shall have the power by the name of said Board to sue and defend. Three of them shall constitute a quorum for the transaction of business. They shall elect one of their number to be President of said Board, and shall keep a record of their proceedings. They shall adopt rules and regulations for their government not in conflict with the laws of the State.

SEC. 3. It shall be the duty of the Governor of the State of California, and he is hereby empowered, to appoint a citizen and resident of this State, having a practical and scientific knowledge of mining and mineralogy, to the office of State Mineralogist, which office is hereby created. Said State Mineralogist shall hold his office for the term of four years from the date of his appointment, or until the qualification of his successor. He shall take and subscribe the same oath of office as the other State officers, and shall give a bond for the faithful performance of his duties in the sum of twenty-five thousand dollars, said bond to be approved by the Governor of the State of California. He shall receive for his services a salary of two hundred and fifty dollars per month, to be paid in the same manner as the salaries of other State officers, and shall also receive his necessary traveling expenses when traveling on the business of his office, said expenses, when approved by the Board of Trustees of the State Mining Bureau, to be allowed and audited by the State Board of Examiners. The said salary and expenses shall be paid out of the Mining Bureau Fund, herein provided for, and not otherwise.

SEC. 4. It shall be the duty of said State Mineralogist to make, facilitate, and encourage special studies of the mineral resources and mineral industries of the State. It shall be his duty: To collect statistics concerning the occurrence of the economically important minerals and the methods pursued in making their valuable constituents available for commercial use; to make a collection of typical geological and mineralogical specimens, especially those of economic or commercial importance, such collection constituting the museum of the State Mining Bureau; to provide a library of books, reports, and drawings, bearing upon the mineral industries, the sciences of mineralogy and geology, and the arts of mining and metallurgy, such library constituting the Library of the State Mining Bureau; to make a collection of models, drawings, and descriptions of the mechanical appliances used in mining and metallurgical processes; to preserve and so maintain such collections and library as to make them available for reference and examination, and open to public inspection at reasonable hours; to maintain, in effect, a bureau of information concerning the mineral industries of this State, to consist of such collections and library, and to arrange, classify, catalogue, and index the data therein contained in a manner to make the information available to those desiring it, and to provide a custodian specially qualified to promote this purpose; to make a biennial report to the Board of Trustees of the Mining Bureau, setting forth the important results of his work, and to issue from time to time such bulletins as he

may deem advisable concerning the statistics and technology of the mineral industries of this State.

SEC. 5. Said State Mineralogist shall have the right to appoint competent assistants and qualified specialists when necessary in the execution of his plans, and fix their compensations, but all such appointments and compensations shall be subject to the approval and confirmation of said Board of Trustees, and shall not become effective unless so confirmed and approved. And it shall be the duty of the State Mineralogist to consult the said Board of Trustees upon all matters appertaining to his official duties, and he shall at all times perform such duties subject to the supervision and approval of said Board of Trustees.

SEC. 6. It shall be the duty of the Board of Trustees of the State Mining Bureau, when the funds of said Mining Bureau will permit, to procure and maintain the necessary rooms and furniture for the offices and uses of the said Board of Trustees and the State Mineralogist, and the museum and library of the Mining Bureau in San Francisco; *provided, however*, that the entire expenses of the State Mining Bureau for salaries, assistance, light, rent, fuel, furniture, and all other things pertaining to said Bureau must not, in any one year, be greater than can be paid out of the Mining Bureau Fund herein provided.

SEC. 7. The Board of Trustees of the State Mining Bureau shall manage and control all the finances of said Mining Bureau, and shall make rules regulating the custody and disbursement of the funds of the State Mining Bureau, and the mode of drawing the same from the State Treasury.

SEC. 8. The Board of Trustees of the State Mining Bureau shall biennially report to the Governor of the State the condition of the Bureau, with a statement of the receipts and disbursements in detail, and with said report shall be incorporated the biennial report of the State Mineralogist, and the report of said Board of Trustees and State Mineralogist shall be printed as are the reports of the other State officers.

SEC. 9. The Board of Trustees of the State Mining Bureau are hereby empowered and authorized to receive, on behalf of the State, for the use and benefit of the State Mining Bureau, gifts, bequests, devises, and legacies of real or other property, and to use the same in accordance with the wishes of the donors; and if no instructions are given by said donors, to manage, use, and dispose of the said gifts, bequests, and legacies for the best interests of the said Mining Bureau in the manner they may deem proper.

SEC. 10. The State Mineralogist may, with the approval of the Board of Trustees of the State Mining Bureau, prepare a special collection of ores and minerals of California, to be sent to any World's Fair or Exposition at which they may deem it advisable or desirable to display the mineral wealth of the State.

SEC. 11. The Mining Bureau Fund herein mentioned, and out of which all the expenses of the State Mining Bureau shall be paid, shall consist of such property or moneys as may come into the hands of the Board of Trustees of said Bureau by gift, bequest, devise, or legacy; of such moneys as may from time to time be appropriated by the Legislature of the State for the use of said Bureau, and of such moneys as shall be paid into the State Treasury for the use and benefit of said Bureau, as provided in the following section.

SEC. 12. It shall be the duty of the Tax Collectors in the several counties in the State, and of the License Collector of the City and County of San Francisco, on the second Monday in January, April, July, and October, in each year, to transmit by express, to the State Treasury, all moneys collected by them from mining corporations, or from corporations formed for milling ores, or for supplying water for mining purposes, under or by virtue of the Act entitled "An Act imposing a tax on the issue of certificates of stock corporations," approved April first, eighteen hundred and seventy-eight, and to forward to the State Controller, by mail, a certificate showing the amount of money so forwarded to the State Treasurer, and the date when the same was transmitted, and also showing the names of the several corporations from which the same was received, and the amount received from each. The State Treasurer shall receive the amounts so transmitted, and give duplicate receipts therefor, one of which shall be filed with the State Controller, and the other shall be forwarded to the Collector from whom the money was received; and after paying out of the money so received the charges for the transmission thereof, the amount of which shall be noted on the receipt filed with the State Controller, he shall retain the remainder in his hands and place it in the Mining Bureau Fund, said Mining Bureau Fund to be used only in the payment of drafts made for the expenses of the Mining Bureau established under this Act.

SEC. 13. Such Tax Collectors and License Collectors shall hereafter be required to pay into the County Treasuries of their respective counties, only that portion of the moneys collected by them under the Act of the Legislature mentioned in the last preceding section, approved April first, eighteen hundred and seventy-eight, which is collected from corporations other than those mentioned in section twelve of this Act.

SEC. 14. The Board of Trustees, now known as the Board of Trustees of the State Mining Bureau, shall perform the duties of the Board of Trustees of the State Mining Bureau, as in this Act provided, and administer the affairs of the State Mining Bureau, as in this Act provided, until the appointment and qualification of their successors, as in this Act provided, and the State Mineralogist, now performing the duties of the office of State Mineralogist, shall perform the duties of the office of State Mineralogist, as in this Act provided, until the appointment and qualification of his successor, as in this Act provided.

SEC. 15. The Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," approved April sixteenth, eighteen hundred and eighty, and the

Act entitled "An Act supplementary to an Act entitled 'An Act for the establishment and maintenance of a Mining Bureau, approved April sixteenth, eighteen hundred and eighty,' approved March twenty-first, eighteen hundred and eighty-five," and all Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Sec. 16. This Act shall take effect and be in force from and after its passage.

Amendments adopted.

Also: Amend the title to read as follows:

An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the supervision of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office subject to the approval and under the supervision of the Board of Trustees of the State Mining Bureau.

Adopted.

Bill ordered to print and reëngrossment as amended, and on file for third reading.

SENATE CONSTITUTIONAL AMENDMENT No. 15.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines from taxation.

The Legislature of the State of California, at its session commencing on the second day of January, eighteen hundred and ninety-three, two thirds of all members elected to each of the two houses of the said Legislature voting in favor thereof, hereby propose that section one of article thirteen of the Constitution of the State of California be amended to read as follows:

SECTION 1. All property in this State, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that fruit trees and vines, growing crops, property used exclusively for public schools, and such as may belong to the United States, this State, and to any county or municipal corporation within the State, shall be exempt from taxation. The Legislature may provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits or debts due to bona fide residents of this State.

The roll was called, and Senate Constitutional Amendment No. 15 adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Denison, Dunn, Earl, Everett, Fay, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

SENATE CONSTITUTIONAL AMENDMENT No. 17.

A resolution proposing to the people of the State of California an amendment to section seven, article eleven of the Constitution of the State of California.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the second day of January, A. D. one thousand eight hundred and ninety-three, two thirds of all the members elected to each house concurring, hereby propose that section seven of article eleven of the Constitution of said State be amended to read as follows:

Section 7. City and county governments may be merged and consolidated into one municipal government, with one set of officers, and may be incorporated under general laws providing for the incorporation and organization of corporations for municipal purposes. The provisions of this Constitution applicable to cities, and also those applicable to counties, so far as not inconsistent or prohibited to cities, shall be applicable to such consolidated governments.

The roll was called, and Senate Constitutional Amendment No. 17 adopted by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—Mr. Mahoney—1.

SENATE CONSTITUTIONAL AMENDMENT No. 6.

Constitutional Amendment to propose to the people of the State an amendment to the Constitution of the State in relation to poll tax.

The Legislature of the State of California, at its thirtieth session, commencing on the first Monday after the first day of January, A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section twelve of article thirteen of the Constitution of the State of California be amended so as to read as follows:

SECTION 12. On and after the year A. D. eighteen hundred and ninety-five, no poll or capitation tax shall be imposed on any inhabitant of this State for any purpose.

The roll was called, and Senate Constitutional Amendment No. 6 refused passage by the following vote:

AYES—Messrs. Campbell, Flint, Ford, Gesford, Hart, McGowan, Maher, Mahoney, Mathews, Ostrom, Ragsdale, Seymour, Shippee, Simpson, and Voorheis—15.

NOES—Messrs. Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Goucher, Harp, Hoyt, Langford, Martin, Mitchell, Orr, Seawell, Streeter, Whitehurst, Williams, and Wilson—22.

LEAVE OF ABSENCE.

Senator Ford was granted a leave of absence for the remainder of the forenoon.

SENATE CONSTITUTIONAL AMENDMENT No. 9.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article thirteen thereof, relating to taxable property.

SUBSTITUTION.

Senator Seymour was granted unanimous consent to withdraw Senate Constitutional Amendment No. 9, and to substitute therefor on file Senate Bill No. 147.

SECOND READING OF BILL.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend section one of line one of printed bill, by striking out the word "the," and inserting in lieu thereof the following: "Sections one and two of an."

Adopted.

AMENDMENT No. 2.

On line four, section one, strike out the word "is," and insert in lieu thereof the words "are hereby."

Adopted.

AMENDMENT No. 3.

Strike out all of lines five, six, seven, and eight, of section one, printed bill.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

SENATE CONSTITUTIONAL AMENDMENT No. 10.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article thirteen, relative to revenue and taxation.

The Legislature of the State of California, at its thirtieth session, beginning on the first Monday after the first day of January, A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section one of article thirteen of the Constitution of the State of California be amended so as to read as follows:

SECTION 1. All property in the State not exempt under the laws of the United States shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; *provided*, that growing crops, homesteads declared as provided by law to the value of five thousand dollars, property used exclusively for public schools, and such as may belong to the United States, this State, or to any county or municipal corporation within this State, shall be exempt from taxation. The Legislature may provide, except in cases of credits secured by mortgage or trust deed, for reduction from credits or debts due to a bona fide resident of this State.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Maher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that the only absentee was Senator Goucher.

On motion of Senator Maher, further proceedings under the call were dispensed with.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the Senate refused passage to Senate Constitutional Amendment No. 10 by the following vote:

AYES—MESSRS. Arms, Bailey, Berry, Biggy, Broderick, Denison, Dunn, Everett, Flint, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Simpson, Streeter, Voorheis, Williams, and Wilson—21.

NOES—MESSRS. Burke, Carpenter, Earl, Fay, Gesford, Harp, Hoyt, Langford, McAllister, Orr, Ostrom, Seawell, Seymour, Shippee, and Whitehurst—15.

SENATE CONSTITUTIONAL AMENDMENT No. 11.

An Act to submit to the people of the State of California an amendment to section three, article twelve, of the Constitution of the State of California.

The Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. one thousand eight hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that section three of article twelve (Revenue and Taxation Department) of the Constitution of the State of California be amended so as to read as follows:

SECTION 3. Each stockholder of a corporation or joint-stock association shall be individually and personally liable for such proportion of all the debts and liabilities contracted or incurred during the time he was stockholder, as the amount of stock or shares owned by him bears to the corporation or association; *provided, however*, that it shall be lawful for any number of persons, not less than two, upon complying with the laws of the State governing corporations in general (and by electing three Directors or more, two of whom must be citizens of the United States, whether of this State or not), to form themselves into and constitute a corporation or a joint-stock association, for the purpose of carrying on any lawful business or enterprise not otherwise specially provided for, and not inconsistent with the Constitution of the State; *provided*, that no such corporation shall engage in stock jobbing business of any kind; the corporation or joint-stock association herein provided for to have a capital of not less than five thousand dollars. The word "limited" shall be the last word of the name of every corporation formed under the provision of this, and every such corporation shall print or affix, and shall keep painted or affixed, its name on the outside of every office or place in which the business of the corporation is carried on, in a conspicuous position, in letters easily legible, and shall have its full name mentioned in legible characters in all notices, advertisements, and other official publications of such corporations, and in all bills of exchange, promissory notes, checks, orders for money, bills of lading, invoices, receipts, letters, and other writing used in the transactions of business of the corporation; *provided*, that the omission of the word "limited" in the use of the name of the corporation shall render each and every person participant in such omission, or knowingly acquiescing therein, liable for any indebtedness, damage, or liability arising therefrom; *be it further provided*, that no stockholder of such corporation shall ever be held liable or responsible for the contracts or faults of such corporation in any further sum than the unpaid balance due to the company on the shares owned by him; nor shall any mere informality in organizing have the effect of rendering a charter null, or of exposing a stockholder to any liability beyond the amount of his stock. The Directors or Trustees of corporations and joint-stock associations shall be jointly and severally liable to the creditors and stockholders for all moneys embezzled or misappropriated by the officers of such corporations or joint-stock associations, during the terms of office of such Directors or Trustees.

The roll was called, and Senate Constitutional Amendment No. 11 refused passage by the following vote:

AYES—Messrs. Carpenter and Mahoney—2.

NOES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 370—An Act making an appropriation for the support and maintenance of the State Mining Bureau for the forty-fifth and forty-sixth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled. President pro tem. R. B. Carpenter in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, February 28, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 670—An Act making an appropriation for relief of N. Southmayd, and others, in caring for and preserving perishable property of State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 327—An Act to appropriate money to pay interest on State bonds belonging to the State University—have had the same under consideration, and respectfully report the same back, and recommend that the author (Senator Earl) be permitted to withdraw it.

Also: Senate Bill No. 645—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry, and bath house, and for the improvement of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee, for opinion as to whether it is constitutional under section twenty-two, article four of the Constitution.

Also: Senate Bill No. 663—An Act to encourage the establishment of county and city reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee for opinion as to whether it conflicts with section twenty-two, article four of the Constitution.

Also: Senate Bill No. 777—An Act making an appropriation for the payment of R. J. Broughton for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

Senate Bills Nos. 148 and 663 re-referred to Committee on Judiciary.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 138—An Act relating to interest and usury.

Also: Senate Bill No. 774—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison of a building for the accommodation of the insane prisoners, and making appropriation therefor," approved March 19, 1889.

Also: Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 274—An Act to amend sections one thousand nine hundred and twelve, one thousand nine hundred and forty-two, one thousand nine hundred and fifty-nine, one thousand nine hundred and seventy-three, one thousand nine hundred and eighty-two, one thousand nine hundred and eighty-four, one thousand nine hundred and ninety, one thousand nine hundred and ninety-two, two thousand and three, two thousand and four, two thousand and twenty-seven, and two thousand and ninety-

four, and to add three new sections, to be known as one thousand nine hundred and twenty-three, one thousand nine hundred and forty-five, and one thousand nine hundred and eighty-one, all of the Political Code of the State of California, and relating to the National Guard.

Also: Senate Bill No. 384—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as section six hundred and seventy-nine, relating to the coercion or compulsion of persons seeking employment.

Also: Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same.

Also: Senate Bill No. 480—An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 382—An Act authorizing the allowance, settlement, and payment of claims of counties against the State.

Also: Senate Bill No. 120—An Act to appropriate one hundred thousand dollars for the Mendocino State Asylum to complete the female ward; to purchase furniture, and furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground, and constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor, and provide for the expenditure of the same.

Also: Committee Substitute for Senate Bill No. 481—An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates.

Also: Senate Bill No. 320—An Act making an appropriation for the construction of a sewer for the State Insane Asylum at Agnews, and to provide for the expenditure of the same.

Also: Senate Bill No. 220—An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health.

Also: Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

RAGSDALE, Chairman.

PRESENTATION OF PETITIONS.

Senator Earl presented the following petitions, and asked that they be printed in the Journal.

So ordered.

PROTEST.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties and fifty towns refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by W. H. Smith and two hundred and fifty-five others.

PROTEST.

OAKLAND, CALIFORNIA, February 27, 1893.

To the Legislature of the State of California:

GENTLEMEN: At a regular meeting of Oakland Union No. 36, held on the above date, it was

Resolved, That we, the Carpenters' Union of the city of Oakland, do hereby most earnestly petition the members of the Legislature, now assembled in Sacramento, to vote against the "Cordage" bills now pending before your body.

J. F. HOSTRAWSER, President.
A. W. SMITH, Rec. Secretary.

Senator Gesford presented the following:

PROTEST.

LOWER LAKE, LAKE COUNTY, CALIFORNIA, February 28, 1893.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly protest and entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties and fifty towns refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by Col. H. Winchester and thirty-five others.

Senator Hoyt presented the following from citizens of Suisun, Solano County:

PROTEST.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties and fifty towns refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by Col. P. Reaves and thirty-five others.

Senator Ostrom presented the following from Central District, Sutter County, California:

PROTEST.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties and fifty towns refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by J. H. Kimball and thirty-eight others.

MOTION.

Senator Burke moved that Assembly Bill No. 296 be recalled from the Judiciary Committee and returned to the desk.

So ordered.

RESOLUTIONS—(OUT OF ORDER).

By Senator McGowan:

Resolved, That the Superintendent of State Printing be and he is hereby directed to have prepared and printed, immediately after the adjournment of the thirtieth session of the Legislature *sine die*, an index to all bills, joint and concurrent resolutions, and constitutional amendments introduced in the Senate during the present session, the index to be alphabetically arranged by authors and topics on a plan similar to the one followed in the "Index to bills introduced during the twenty-seventh, twenty-eighth, and twenty-ninth sessions," and to be printed on paper similar in size and quality to that for printing Senate Bills. Four hundred and eighty copies of said index shall be printed, and one copy shall be mailed to each member of the Senate and Assembly.

The sum of one hundred and twenty-five dollars is hereby directed to be paid to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Senate, for the compilation of and postage on the aforesaid index, and the Con-

troller of State is hereby directed to draw his warrant for said sum, payable to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved, That the Secretary of the Senate is hereby authorized and directed to send a copy of every law, as soon as approved by the Governor, to each District Attorney and Judge of the Superior Court in this State, and the sum of fifty dollars is hereby appropriated out of the funds for the contingent expenses of the Senate for such purpose, and the Controller is hereby directed to draw his warrant for such sum on said fund in favor of said Secretary of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
By Senator Maher:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Senator T. C. Maher for the amount of eighty-four dollars, for mileage, on account of the visit of the special committee of the Senate to visit Golden Gate Park in San Francisco.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORTS OF STANDING COMMITTEES.

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Senate Bill No. 709—An Act to amend section eight of an Act entitled "An Act to prevent persons passing through inclosures, and leaving them open, by tearing down fences, or otherwise, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1876.

Also: Senate Bill No. 699—An Act to regulate the sale of commercial fertilizers, or material used for manurial purposes—have had the same under consideration, and respectfully report the same back without recommendation.

SHIPPEE, Chairman.

THE SAN FRANCISCO DELEGATION.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: The San Francisco Delegation, to whom was referred Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, or cities, and cities and counties of fifty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MAHER, Chairman.

MOTION.

Senator Maher moved that the report of the committee be now read and considered.

So ordered.

The following committee amendments, submitted by the San Francisco Delegation to Substitute for Senate Bills No. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court or place within municipalities, or cities, and cities and counties of fifty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose—were read:

AMENDMENT No. 1.

Amend by striking out of title, line four, the word "fifty," and insert in lieu thereof the word "forty."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, line two, the word "fifty," and insert in lieu thereof the word "forty."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section one, line seven, the words "or exchange adjacently foot for foot."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section two, lines two and three, the words "cause a survey to be made, and have the grades of said streets established, and shall then."

Adopted.

AMENDMENT No. 5.

Amend by striking out of section two all of the lines from seven to thirteen, inclusiv

Adopted.

AMENDMENT No. 6.

Amend by striking out of section five, lines two and three, the words "on the portion of the street to be extended and widened, and of the frontage."

Adopted.

AMENDMENT No. 7.

Amend by striking out of section five, line nine, after the word "majority," the words "of the frontage on said street and."

Adopted.

AMENDMENT No. 8.

Amend by inserting in section six, line seven, before the word "five," the words "not to exceed."

Adopted.

AMENDMENT No. 9.

Amend by striking out of section six, line three, after the word "shall," to and including the word "street," in line four, and inserting the following: "appoint three disinterested persons."

Adopted.

AMENDMENT No. 10.

Amend by striking out of section twenty-three, line three, the word "fifty," and insert in lieu thereof the word "forty," before the word "thousand."

Adopted.

AMENDMENT No. 11.

Amend by inserting after the word "over," at end of line three, section twenty-three, the following: "but as to any city, city and county, having a population of forty thousand or over, said Act shall not apply."

Adopted.

AMENDMENT No. 12.

Amend by striking out of section twenty-three, line nine, the word "fifty," before the word "thousand," and inserting in lieu thereof the word "forty."

Adopted.

AMENDMENT No. 13.

Amend by striking out of section twenty-three, lines ten and eleven, the words "and all the laws authorizing their collection are hereby repealed."

Adopted.

Substitute for Senate Bills Nos. 291, 183, and 123 ordered to print and engrossment as amended, and to a third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 473—An Act to increase the revenue by the taxation of incomes—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee, as it carries no appropriation from the State Treasury.

Also: Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County Government and Township Organization, as it does not involve an appropriation of money from the State Treasury.

VOORHEIS, Chairman.

Assembly Bill No. 473 referred to Committee on Judiciary.

Assembly Bill No. 365 re-referred to Committee on County Government and Township Organization.

LEAVE OF ABSENCE.

At two o'clock P. M. Senators McAllister and Hoyt were granted leave of absence for thirty minutes.

The hour of two o'clock having arrived, the consideration of Assembly bills by joint rules set for this hour was proceeded with.

SPECIAL ASSEMBLY FILE.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1884 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Passed on file.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Passed on file.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Senator Burke moved that Assembly Bill No. 9 be passed on file, but to retain its place.

So ordered.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Passed on file temporarily.

Assembly Joint Resolution No. 4—Relating to the free and unlimited coinage of silver.

Passed on file.

THIRD READING OF BILLS.

Assembly Bill No. 265—An Act to provide for payment of the claim of C. C. Rochford.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Harp, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—Senator Langford—1.

Title read and approved.

Assembly Bill No. 185—An Act to amend section three thousand seven hundred and seventy-three of the Political Code, relating to the sale of property for delinquent taxes.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Goucher, Harp, Maher, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Assembly Bill No. 2—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years.

Read third time.

MOTION.

Senator Voorheis moved that Assembly Bill No. 2 be recommitted to Senator Broderick, as a special committee of one, with instructions to amend as follows:

Amend, in line seven, by striking out "seven thousand five hundred" and inserting "five thousand" in lieu thereof.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 2, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BRODERICK, Committee

The roll was called, and the report and amendment rejected by the following vote:

AYES—Messrs. Arms, Burke, Fay, Flint, Martin, Mathews, Voorheis, and Whitehurst—8.

NOES—Messrs. Bailey, Berry, Biggy, Campbell, Carpenter, Dunn, Earl, Everett, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Mahoney, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, and Wilson—25.

The question then being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Gesford, Goucher, Hoyt, McAllister, McGowan, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Wilson—27.

NOES—Messrs. Burke, Fay, Harp, Martin, and Voorheis—5.

Title read and approved.

Assembly Bill No. 138, temporarily passed, was taken up for consideration.

THIRD READING OF BILLS—(RESUMED).

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Senator Arms moved that this bill be passed on file until to-morrow, to retain its place on file.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Harp, Langford, McAllister, Maher, Mahoney, Mitchell, Orr, Ostrom, Simpson, Voorheis, and Wilson—18.

NOES—Messrs. Bailey, Biggy, Broderick, Earl, Everett, Fay, Flint, Ford, Hoyt, Martin, Mathews, Ragsdale, Seymour, Streeter, Whitehurst, and Williams—16.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Read third time.

MOTION.

Senator Orr moved that Assembly Bill No. 117 be recommitted to Senator Earl, as a special committee of one, with instructions to amend as follows:

Strike out all of section thirteen, and insert in lieu thereof the following:

"Sec. 13. This Act shall only apply to such municipalities as shall, by vote of the electors residing therein, determine to come within its provisions."

Also: Add a new section, as follows:

"Sec. 14. This Act shall take effect from and after its passage."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 117, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

EARL, Committee.

Report of special committee of one and amendment adopted.
Assembly Bill No. 117 ordered to print and reëngrossment as amended.

THIRD READING OF BILLS.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Passed on file temporarily.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Passed on file.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

Assembly Bill No. 276—An Act entitled an Act to amend section two thousand six hundred and eighty-four of the Political Code.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Simpson, Streeter, and Wilson—23.

NOES—Messrs. Seawell, Seymour, Whitehurst, and Williams—4.

Title read and approved.

Assembly Bill No. 469—An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Simpson, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—Messrs. Ostrom and Shippee—2.

Title read and approved.

Assembly Bill No. 296, temporarily passed, was taken up for consideration.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

Read third time.

The hour of three o'clock and thirty minutes P. M. having arrived, the Senate proceeded to the consideration of urgency file as per Senate rules.

CALL OF THE SENATE.

Senator Maher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that the absentees were Senators Mahoney, Campbell, Ford, and Voorheis.

The Sergeant-at-Arms brought before the bar of the Senate Senators Ford and Campbell.

MOTIONS.

Senator Earl moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The President pro tem. ordered the doors to be opened.

Senator Mathews moved that Senate Constitutional Amendment No. 7 be taken from the cases of urgency file, and placed back on the urgency file.

So ordered.

RESOLUTIONS.

By Senator Arms:

Resolved. That Senate Bill No. 607 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 607 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—37.

NOES—None.

By Senator Seawell:

Resolved. That the provision of the Constitution relating to the time in which bills may be introduced is hereby suspended, and permission granted to Senator Seawell to introduce Senate Bill No. 780.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Williams, and Wilson—30.

NOES—None.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Seawell: Senate Bill No. 780—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury, to the uses of the Mendocino State Insane Asylum.

MOTIONS.

Senator Seawell moved to suspend the rules for the purpose of placing Senate Bill No. 780 on file without reference to committee.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Ragsdale, Seawell, Shippee, Simpson, Streeter, Williams, and Wilson—25.

NOES—Messrs. McAllister, Orr, Ostrom, and Seymour—4.

Senator Ford moved that consideration of Senate Concurrent Resolution No. 7 be made a special order for nine o'clock this evening.

So ordered.

URGENCY FILE—SECOND AND THIRD READING OF BILLS.

Senate Bill No. 208—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Bill read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Harp, Langford, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Williams—30.

NOES—None.

Title read and approved.

Senate Bill No. 556—An Act to amend section three thousand and five of the Political Code, relating to the appointment of a Board of Health for the City and County of San Francisco.

Read second time, considered engrossed, read third time, and final passage refused by the following vote:

AYES—Messrs. Arms, Berry, Burke, Dunn, Fay, Gesford, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—16.

NOES—Messrs. Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Hart, Hoyt, McGowan, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorbeis, and Williams—21.

Assembly Bill No. 30—An Act entitled an Act to amend section fifteen of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof,

and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds."

Bill read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities and towns, and cities and counties having a population of five thousand inhabitants, or over, and to more effectually protect the people against contagious diseases.

During the second reading of the bill the following committee substitute for substitute was read and adopted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 13.

An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities and towns, and cities and counties having a population of five thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. A State Board of Funeral Directors, to consist of the State Board of Health, is hereby created, with the powers, functions, and duties hereinafter prescribed.

SEC. 2. Every firm, corporation, or person, who, at the time of the passage and approval of this Act, is engaged, in any city or town, or city and county having a population of five thousand inhabitants or over, in the business or practice of undertaking or funeral directing, or of caring for, preparing for burial, or disposing of the dead bodies of human beings, shall, within six months from the approval of this Act by the Governor, cause the name, residence, and place of business of such firm, corporation, or person to be registered with the Secretary of said Board, who shall keep a book for that purpose, to be known as and marked "Register of Funeral Directors," which book shall be open to public inspection, under reasonable regulations; and all firms, corporations, and persons so registered shall be known and designated, for all the purposes of this Act, as "Funeral Directors," and shall be licensed by said Board to practice and carry on business as such.

SEC. 3. No firm, corporation, or person not registered as and within the time prescribed in section three of this Act, shall engage in or carry on, in any city, or town, or city and county, having a population of five thousand inhabitants or over, the business or practice of undertaking, or funeral directing, or caring for, preparing for burial, or disposing of the dead bodies of human beings, until such firm, corporation, or person shall have been duly examined and licensed, as prescribed in section five of this Act.

SEC. 4. Any person not registered, as hereinbefore provided, who, after the passage of this Act, shall desire to engage in or continue the business or practice of undertaking or funeral directing in any city, or town, or city and county, having a population of five thousand inhabitants or over, must appear before said Board, at a regular or special meeting thereof, and be examined by said Board concerning his or her knowledge and skill in the art of preserving, disinfecting, and caring for the bodies of deceased human beings, and in the art of fumigating and disinfecting houses and apartments wherein death has occurred from any contagious or infectious disease. If it appear from such examination that the applicant possesses a reasonably sufficient knowledge of the arts aforesaid, it shall be the duty of said Board to register such applicant, and upon the payment of the fees hereinafter provided for, issue a license, to be signed by the President and Secretary of said Board, authorizing him or her to practice as an undertaker or funeral director in this State. If any person, a member of any firm or any employé of any corporation, shall take and successfully pass the examination prescribed by this section, with the purpose and object of procuring a license upon behalf of such firm or corporation, then such firm or corporation shall be registered, and the license be issued by said Board to said firm or corporation; and it shall be lawful for said firm or corpora-

tion to carry on said business so long as said person through whom it may have taken such examination shall continue to be such member or employé; *provided, nevertheless*, that such member or employé shall at all times be actively engaged in carrying on the business of said firm or corporation. Otherwise it shall not be lawful for any firm or corporation to carry on said business.

Sec. 5. It shall be unlawful for any firm, corporation, or person, who is not at the time of the passage of this Act engaged in the business or practice of funeral directing, in some city, or town, or city and county, in this State, having a population of five thousand inhabitants or over, to commence such business in any city, or town, or city and county having a population of five thousand inhabitants or over; or who, being so engaged, is not registered with said Board, as provided in section three of this Act, to continue such business, unless he shall have been examined by said Board, and shall have received a license therefor from said Board, as provided in section five of this Act. All firms, corporations, and persons receiving licenses from said Board shall have the same registered with the County Clerk of the county in which such firm, corporation, or person is doing business, and with the Board of Health of the city or town in which such business is located, if there be a Board of Health in such town or city, in addition to keeping the same displayed in his or her office.

Sec. 6. Every firm, corporation, or person who shall register with such Board, as hereinafter provided, shall pay therefor to said Board a registration fee of two dollars; and all firms, corporations, and persons who shall be examined by said Board, as hereinafter provided, shall pay an examination and registration fee of three dollars; and out of the fund so paid to said Board as fees, as aforesaid, the members of said Board shall each receive, as compensation for his services, the sum of five dollars for each day's attendance upon the meetings of the Board; and in addition thereto all necessary expenses incurred in attending said meetings. Each claim therefor to be verified by his affidavit.

Sec. 7. Any person who shall violate any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars for each and every offense.

Sec. 8. No license granted or issued under the provisions of this Act shall be in any manner assignable or transferable, nor shall it authorize any person other than the person, firm, or corporation therein named, to carry on the business of undertaking or funeral directing. Every such license shall specify, by name, the person, firm, or corporation to whom or which it shall be issued, and shall designate the particular place at which the business shall be carried on.

Sec. 9. It shall be the duty of every funeral director to thoroughly disinfect the body of a deceased person whose death has resulted from any contagious or infectious disease, and the apartment in which said death occurred, without cost, charges, or compensation, within four hours after notification of death, and report the same to the Health Office, if there be such in the city, city and county, town, or township, without delay.

Sec. 10. All fines recovered under this Act shall be paid into the treasury of the aforesaid Board, to aid in defraying its expenses.

Sec. 11. No member of said Board shall be directly or indirectly interested in any business of undertaking or funeral directing, nor a member of a firm or corporation dealing in goods, wares, or merchandise used by undertakers or funeral directors, nor shall any member of said Board engage in said business of funeral director or undertaking, and a violation of this section shall make the appointment of the person so violating the same absolutely null and void.

Senator Everett moved to amend by striking out of section five, line two, the word "some" and inserting the following: "any."

Adopted.

Committee Substitute for Substitute for Senate Bill No. 13 ordered to print and engrossment as amended, and on file for third reading.

SECOND AND THIRD READING OF BILL.

Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Bill read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Earl, Everett, Fay, Gesford, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—29.

NOES—Mr. Bailey—1.

Title read and approved.

RECESS.

At four o'clock and thirty-five minutes P. M., on motion of Senator Maher, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

LEAVE OF ABSENCE.

On motion of Senator Flint, a leave of absence for the evening was granted Senator Streeter.

MOTION.

By unanimous vote, on motion of Senator Whitehurst, Assembly messages were ordered taken up, read, and disposed of as indicated.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 122—An Act entitled an Act to appropriate money to pay the claims of McGowan & Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum.

Also: Senate Bill No. 349—An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 778 - An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

Also: Senate Bill No. 431—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 4, 1872, relating to presentments by a Grand Jury.

Also: Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at World's Columbian Exposition, and to appropriate money therefor.

Also: Senate Bill No. 168—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Also: Senate Bill No. 576 -An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

RAGSDALE, Chairman.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes, for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

On motion of Senator Hart, Assembly Bill No. 477 was ordered on special Assembly file, without reference to committee.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Also: Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 396 ordered on file, and Assembly Bill No. 674 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Committee substitute for Assembly Bill No. 543—An Act regulating the sale of lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 543 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphans' asylum in this State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 219 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 847—An Act to repeal an Act to provide for the erection at San Quentin State Prison a building for the accommodation of the insane prisoners, and making an appropriation therefor, approved March 19, 1889.

Also: Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Also: Assembly Bill No. 849—An Act making an appropriation to pay the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bills Nos. 847, 848, and 849 were ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of February, passed Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 280 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senator Ford moved that Assembly Bill No. 654 be placed on the special Assembly file, without reference to a committee.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendments to Assembly Bill No. 214—An Act to amend section one thousand two hundred and six of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in cases of executions and attachments.

Also: Assembly Bill No. 213—An Act to amend section one thousand two hundred and five of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred, in estates of deceased persons.

Also: Assembly Bill No. 212—An Act to amend section one thousand two hundred and four of the Code of Civil Procedure, relating to certain liens for salary and wages, and to persons preferred, on assignments for benefit of creditors.

Also: Assembly Bill No. 113—An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivision of lands into small lots or tracts for the purposes of sale, and providing for a forfeiture for the selling, or offering for sale, any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded.

Also: Concurred in the amendment to the title of Assembly Bill No. 37—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending section three hundred and ninety-seven thereof, relating to penalties for selling liquor to habitual or common drunkards, and Indians.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 788 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 18—Relative to granting Frank P. Boynton a leave of absence.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Concurrent Resolution No. 18 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted a resolution respectfully requesting the Senate to return to the Assembly Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

On motion of Senator Seawell, Senate Bill No. 538 was transmitted forthwith to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 18 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of March, passed Assembly Bill No. 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Also: Amended and passed as amended Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Also: Respectfully refused to pass Substitute for Senate Bill No. 302—An Act to amend section three thousand eight hundred and eighty-one of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 393 referred to Committee on City, City and County, and Town Governments.

Assembly Bill No. 235 referred to Committee on Irrigation and Water Rights.

On motion of Senator Maher, the Senate refused to concur in the Assembly amendments to Senate Bill No. 214.

MOTION.

On motion of Senator Maher, a Committee of Conference was ordered appointed by the President, for the purpose of consultation on Senate Bill No. 214.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of March, concurred in the Senate amendment to Assembly Bill No. 427—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: I am directed to inform you honorable body that the Assembly, on the twenty-eighth day of February, respectfully refused to concur in the Senate amendment to Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

MOTION.

On motion of Senator Berry, the President was directed to appoint a Committee of Conference, for consultation on Assembly Bill No. 426.

Senator Langford, on behalf of Senator Goucher, moved the reconsideration of the vote whereby Committee Substitute for Senate Bill No. 434 was on yesterday finally passed.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Burke, Carpenter, Fay, Flint, Ford, Gesford, Hart, Hoyt, Langford, McAllister, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Voorheis, and Whitehurst—22.

NOES—Messrs. Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Harp, McGowan, Maher, Martin, Williams, and Wilson—13.

Committee Substitute for Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

Senator Langford moved that Senator Voorheis be appointed a special committee of one to amend as follows:

Amend by striking out of section five, line eleven, the words "county where the land lies," and inserting the following: "State School Fund."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Committee Substitute for Senate Bill No. 434, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

The roll was called, and the report of special committee and amendment adopted by the following vote:

AYES—Messrs. Arms, Bailey, Burke, Campbell, Carpenter, Fay, Flint, Ford, Gesford, Hart, Hoyt, McAllister, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, and Whitehurst—23.

NOES—Messrs. Berry, Biggy, Broderick, Denison, Dunn, Everett, Harp, McGowan, Maher, Martin, and Williams—11.

Bill ordered to print and reëngrossment as amended.

SUBSTITUTION.

Senator Gesford was granted unanimous consent to withdraw Senate Bill No. 633 (No. 414 on file), and to substitute therefor Assembly Bill No. 674, they being identical bills.

Senate Bill No. 633 withdrawn, and Assembly Bill No. 674 substituted therefor on file.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Passed on file.

Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Passed on file.

Senate Bill No. 60—An Act to amend section five hundred and thirty-seven of the Penal Code of the State of California, and to renumber said section, relating to defrauding proprietors or managers of hotels, inns, restaurants, boarding houses, and lodging houses.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, Maher, Martin, Mathews, Mitchell, Ostrom, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—27.

NOES—Mr. Bailey—1.

Title read and approved.

POSTPONEMENT.

On motion of Senator Simpson, Senator Goucher's notice of reconsideration of the vote whereby Senator Simpson was refused permission to withdraw Senate Bill No. 207, was set as a special order for to-morrow at nine o'clock P. M.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 284—An Act to amend sections fifty-five and sixty-eight, and for the repeal of section seventy-five of the Civil Code of the State of California, relating to the authentication of marriages.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—31.

NOES—Mr. Williams—1.

Title read and approved.

Senate Bill No. 631—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Everett, Fay, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

SECOND READING OF BILLS.

Substitute for Senate Bill No. 33—An Act to provide for organizing and maintaining paid fire departments within cities and towns, or cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively.

Passed on file.

Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Substitute for Senate Bills Nos. 291, 183, and 123, on motion of Senator Maher, was set as a special order for consideration to-morrow, immediately after the reading of the Journal.

Senate Bill No. 44—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violation of the fish laws.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 43—An Act appointing Sheriffs and Constables, Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws.

Committee amendment, as follows:

Amend by striking out of section one, line six of printed bill, the words "State Game and Fish Commission," and substituting therefor the words "State Board of Fish Commissioners."

Adopted.

Senator Williams moved to amend, as follows:

By striking out of section two, lines one, two, three, and four, and inserting the following: "Sec. 2. The sum of twenty dollars shall be paid to the Sheriff or Constable making the arrest, upon conviction only, however, under the provisions of this Act, of each and every person violating the same."

Adopted.

Senator McAllister moved to amend, as follows:

By striking out all of section three.

Adopted.

Read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 27—An Act to amend section one thousand four hundred and twenty-six of the Political Code, relating to the appointment of members of Board of Regents of the University of California.

Read second time, and ordered to engrossment and to a third reading.

At eight o'clock and forty-five minutes P. M., Senator Ostrom moved that the Senate proceed to set as special orders Senate Bills Nos. 173, 304, and 175.

Whereupon, he was declared out of order by the President pro tem., on the ground that the Senate was at the present time considering a special order set for this hour.

APPEAL.

The Senator thereupon appealed from the decision of the Chair.

Upon the question being put, "Shall the decision of the Chair stand as the decision of the Senate?"

The roll was called, and the decision sustained by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Williams—30.

NOES—Messrs. Ostrom and Wilson—2.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 377—An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seats by an election; to declare the manner of providing officers, and to determine the portion of the old county debt to be chargeable to such new county.

Read second time.

Senator Campbell moved to strike out the enacting clause of the bill.

The hour of nine o'clock having arrived, Senator Seawell moved that the special order set for that hour be temporarily postponed, until the consideration of Senate Bill No. 377 be disposed of.

So ordered.

LEAVE OF ABSENCE.

Senator Bailey was granted a leave of absence for the day.

ROLL CALL.

The roll was then called on the motion to strike out the enacting clause of Senate Bill No. 377, and it was carried by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Dunn, Everett, Flint, Ford, Gesford, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, and Whitehurst—24.

NOES—Messrs. Biggy, Carpenter, Denison, Fay, Harp, Martin, Ostrom, Williams, and Wilson—9.

NOTICE OF RECONSIDERATION.

Senator Berry gave notice that on to-morrow he would move a reconsideration of the vote whereby the enacting clause of Senate Bill No. 377 was this day stricken out.

SPECIAL ORDER.

The hour of nine o'clock P. M. having arrived, Senate Concurrent Resolution No. 7, set as a special order, was considered:

SENATE CONCURRENT RESOLUTION No. 7.

Concurrent resolution approving the charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town at a special election held therein for that purpose, on February 28, 1893.

WHEREAS, The town of Grass Valley, in Nevada County, California, is now and at all times herein referred to, was a city containing a population of more than three thousand five hundred and not more than ten thousand inhabitants; and whereas, at an election duly held in said city on December third, eighteen hundred and ninety-two, in accordance with law and with the provisions of amendment number fourteen to the Constitution of this State, a Board of Fifteen Freeholders, duly qualified, was duly elected in and by said city, and by the qualified electors thereof, to prepare and propose a charter for said city, which said Board of Fifteen Freeholders did, within the ninety days next after such election, prepare and propose a charter for said city, signed in duplicate by a majority of the members of said Board of Freeholders, and was on said last named day returned, one copy thereof to the President of the Board of Trustees of said city, and the other copy thereof to the Recorder of Deeds of the county of Nevada (within which said city is situated); and whereas, such proposed charter was then published in one daily newspaper of general circulation in said city, to wit: in the "Daily Bidings," for the period of more than twenty days, such publication having been commenced within twenty days after the completion of said proposed charter; and whereas, said charter was, within not less than thirty days after the completion of said publication, submitted by the legislative authority of said city, to wit: by the Board of Trustees thereof, to the qualified electors of said city, at a special election previously duly called, and thereafter held in said city on the twenty-eighth day of February, eighteen hundred and ninety-three; and whereas, the returns of said election were duly canvassed by said Board of Trustees of the town of Grass Valley at its meeting held on February twenty-eighth, eighteen hundred and ninety-three, and said Board of Trustees found, as the result of said canvass and did duly determine and declare, that there were cast at said election two hundred and thirty-eight votes in favor of said charter, and one hundred and sixty-nine votes, and no more, against said charter, and that the majority in favor of the charter was sixty-nine votes; and said Board of Trustees did thereupon declare that said charter had been duly ratified by a majority of the qualified electors voting at said election; and whereas, at said election a majority of such qualified electors of said city voting thereat, did vote in favor of, and did ratify said charter so proposed; and whereas, said charter, as so ratified, is now submitted to the Legislature of the State of California for its approval or rejection, as a whole, in accordance with the provisions of amendment number fourteen to the Constitution of said State; and whereas, the said charter, so ratified, is in the words and figures following, to wit:

CHARTER OF THE CITY OF GRASS VALLEY.

ARTICLE I.

OF RIGHTS, LIABILITIES, AND BOUNDARIES.

SECTION 1. The municipal corporation known as the town of Grass Valley shall remain and continue a body politic and corporate, under the name and style of the City of Grass Valley, which shall succeed to and in which is hereby vested all the rights, privileges, property, and obligations of said town of Grass Valley.

SEC. 2. Said city shall have perpetual succession; may sue and defend in all Courts and places in all matters and proceedings whatever; may have and use a common seal, alterable at pleasure; may purchase, sell, let, lease, hold, and enjoy real and personal property within or without its boundaries, and, especially, all ditches, rights of way, reservoirs, water rights, and property of every description necessary or convenient to supply said city and its inhabitants with water, and for sewerage and drainage; may contract for water to supply said city and its inhabitants, construct, repair, manage, and maintain such ditches, reservoirs, aqueducts, and all works necessary in the distribution of such water; may levy and collect water rates, taxes on real and personal property, poll taxes, and licenses on all business therein; may determine what are nuisances, and prevent and remove the same; may construct, establish and maintain drains and sewers; may determine and declare what are public uses and what property it is necessary to take for such purposes, and condemn the same under the provisions of section one thousand and one of Civil Code, and title seven, part three, of the Code of Civil Procedure of California, and such statutes of the State as relate to the exercise of the right of eminent domain, which are hereby made a part of this charter; may receive bequests, gifts, and donations of all kinds of property wherever situate, in fee simple or in trust, for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts, and donations, with the power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest, or trust.

SEC. 3. The channel of Wolf Creek through said city shall be, and the right of way through the same is hereby retained to said city for purposes of sewerage and drainage, and it cannot alienate any part of the same, and may keep said channel free of all obstructions and nuisances.

SEC. 4. Said city shall only purchase such ditches and water rights as may be necessary for fully supplying it and its inhabitants with water.

BOUNDARIES.

SEC. 5. Said city shall comprise the southeast quarter, the south half of the northeast quarter, the southeast quarter of the northwest quarter, and the east half of the southwest quarter of section twenty-seven, township sixteen north, range eight east, Mount Diablo base and meridian, being the same territory as the town of Grass Valley.

SEC. 6. The school district of the city of Grass Valley shall consist of the territory of the city and also of all additional territory annexed thereto by the Board of Supervisors of Nevada County, under and subject to provisions of section one thousand five hundred and seventy-six of the Political Code.

DIVISION INTO WARDS.

SEC. 7. The Board of Trustees may, at their discretion, divide said city into wards.

ARTICLE II.

OF OFFICERS, ELECTIONS, AND COMPENSATION.

SECTION 1. The corporate powers and duties of the city of Grass Valley shall be vested in a Board of Trustees and a City Board of Education, to be elected by the qualified electors thereof, as hereinafter provided.

SEC. 2. The Board of Trustees of the city shall have power:

(a) To pass ordinances, not in conflict with the Constitution of this State or of the United States.

(b) To purchase, lease, or receive such real estate and personal property as may be necessary or proper for municipal purposes, and to control, dispose of, and convey the same for the benefit of the city; *provided*, that they shall not have the power to sell or convey any portion of the bed of Wolf Creek.

(c) To contract for supplying water to said city, and its inhabitants; acquire, construct, repair, manage, sell, lease, and let pipe-lines, aqueducts, reservoirs, and such other works as may be necessary or proper for supplying such water, and so fix water rates that the same will be equitable and each consumer assessed his fair proportion, according to the amount of water he actually consumes.

(d) To impose and collect an annual license, not exceeding two dollars, on every dog permitted at any time to run at large.

(e) To levy and collect taxes.

(f) To license, for the purpose of regulation and revenue, all and every kind of business authorized by law and transacted or carried on in this city, and all shows, exhibitions, and lawful games carried on therein; to fix the rate of license tax upon the same, and to provide for the collection of the same by suit or otherwise.

(g) To erect and maintain buildings for municipal purposes.

(h) To permit, under such restrictions as they may deem proper, the laying of railroad tracks and the running of cars drawn by horses, steam, electricity, or other power, thereon, and the laying of gas and water pipes in the public streets, and vending gas and water in said city; and to permit the construction and maintenance of telegraph, electric, and telephone lines therein.

(i) To impose fines, penalties, and forfeitures for any and all violations of ordinances; and, for any breach or violation of any ordinance, to fix the penalty by fine or imprisonment, or both, but no such fine shall exceed the sum of two hundred dollars, nor the term of imprisonment exceed three months.

(j) To provide for the numbering of all buildings facing on the streets of said city.

(k) To provide for the impounding of animals, including dogs, found running at large in said city; to appoint a Poundmaster, and to fix his fees and charges.

(l) The Board of Trustees may regulate or exclude the storing of gunpowder and other combustible and explosive materials within the city limits, and establish fire limits.

(m) The Board of Trustees may employ a surveyor and City Attorney whenever they deem the same necessary.

SEC. 3. The enacting clause of all ordinances shall be as follows: "The Board of Trustees of the city of Grass Valley do ordain as follows." Every ordinance shall be signed by the President of the Board of Trustees and attested by the City Clerk.

SEC. 4. All demands against this city shall be presented to and audited by the Board of Trustees, in accordance with such regulation as they may by ordinance prescribe; and upon the allowance of any such demand the Mayor of the city shall draw a warrant upon the Treasurer for the same, which warrant shall be countersigned by the Clerk, and shall specify for what purpose the same is drawn and out of what fund it is paid.

SEC. 5. Every act or thing done or being done within the limits of the city which is or may be declared by law or by any ordinance of the city to be a nuisance, shall be and is hereby declared to be a nuisance, and shall be considered and treated as such in all actions and proceedings whatever; and all remedies which are or may be given by law for the prevention and abatement of nuisances shall apply thereto.

SEC. 6. In the erection, improvement, and repair of all public buildings and works; in all street, sewer, and water work, and in furnishing any supplies or materials for the same, when the expenditure required for such operations exceed the sum of one hundred dollars, the same shall be done by contract, and shall be let to the lowest responsible bidder, after due notice, under such regulations as may be prescribed by ordinance;

provided, that the Board of Trustees may reject all bids presented, and readvertise in their discretion; *provided further*, that no Trustee shall be interested in any contract.

SEC. 7. The violation of any ordinance shall be prosecuted in the name of the city, and may be redressed by civil action. Any person sentenced to imprisonment for the violation of an ordinance may be imprisoned in the jail of said city or, if the Board of Trustees by ordinance shall so prescribe in the county jail of the county of Nevada in which case the expense of such imprisonment shall be a charge in favor of the county and against the city.

SEC. 8. The Clerk of the Board of Trustees shall be designated the City Clerk, and shall be empowered to administer oaths without charge in all matters concerning affairs of the municipality.

SEC. 9. The Board of Trustees shall sit as a Board of Equalization.

SEC. 10. The Board of Trustees, on the petition of not less than fifty electors, must ascertain the sense of the electors of the city on any desired ordinance by submitting the question involved thereon to a vote of the electors at any regular election.

SEC. 11. The Board of Trustees shall not contract any indebtedness on the credit of the city in excess of three thousand dollars, without the consent of two thirds of the qualified electors thereof voting thereon.

SEC. 12. The Board of Trustees shall consist of five members; *provided*, for each additional precinct an additional member shall be elected; one member to be elected from each election precinct, new or which may be hereafter established in said city by the Board of Supervisors of Nevada County, and also one Trustee to be elected by the city at large, who shall be designated as the Mayor of the city. The Mayor shall be ex officio Chairman of the Board of Trustees, and shall have general supervision of all the affairs of the city. A first Board of Trustees shall be elected at the first election after the adoption of this charter, and thereafter at each general election. The President of the Board of Trustees of the town of Grass Valley shall give notice of the first election held under this charter, and the Board of Trustees of the town of Grass Valley shall appoint election officers therefor.

SEC. 13. The City Board of Education shall consist of seven members, one from each election precinct in the city, which is now or may hereafter be established by the Board of Supervisors of Nevada County, and the balance, if any, to be elected by the city at large. The Board of Education shall elect one of their number as President.

SEC. 14. The City Board of Education shall, after the first election under this charter, be elected at such times as is now or may be hereafter fixed by the general laws of this State for the election of Boards of School Trustees, and shall take hold and exercise their offices in conformity with the general school laws relating to Boards of School Trustees and school districts, subject, however, to this charter. A Board of Education consisting of seven members shall be elected at the first election after the adoption of this charter.

SEC. 15. The notice of the first of such elections shall be given by the President of the Board of Trustees of the town of Grass Valley, and thereafter by the President of the Board of Education thereof. The election officers of the first election shall be appointed by the Board of Trustees, and of all subsequent elections, by said Board of Education. Such elections in other respects shall conform to the general school laws of this State; *provided*, that the members of the Board of Education, at their first meeting after the first election, shall determine by lot which four of them shall go out of office at the expiration of the current school year, and which three of their number shall hold office for the term of two years. As so determined, four members of the Board first elected shall hold office for one year, and three members for the term of two years. After the expiration of such first term, the term of office for each member of the Board shall be two years. Should the residence of any member of the Board of Trustees or the Board of Education become detached from the precinct from which he was elected, by reason of a change of precinct boundaries he shall only hold office until the next election; but the formation of a new precinct shall not otherwise affect or be affected by previous boundaries or elections.

SEC. 16. The Board of Trustees and the Board of Education shall, within fifteen days after their election, be convened on written notice given, respectively, by the Mayor of the city and the President of the Board of Education, and shall each elect some person as Clerk. They shall, by by-laws or ordinances, fix the time and place for holding their stated meetings, and may be convened by their presiding officer at any time. They shall make such rules for their own government as they may deem proper. The Clerk of the Board of Trustees or the Board of Education must not be selected from their own number.

SEC. 17. At all meetings of the Board of Trustees or Board of Education, a majority shall constitute a quorum. Any smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as the Board may previously ordain.

SEC. 18. The Board of Trustees and the Board of Education shall be judges, in the first instance, of the qualification, election, and returns of their own members, and the Board of Trustees shall likewise have jurisdiction to hear and determine contested elections of all other city officers; *provided*, that no decision of any Board shall preclude the right of any elector of the city to contest the right of any person to any office, herein provided for, in the Superior Court, as provided in title two part three of the Code of Civil Procedure of California.

SEC. 19. The provisions of the Civil Code and statutes of California relating to the

violation of the election laws, the punishment and removal of public officers for misconduct or the violation of their duty, by proceedings had in the Superior Court or other competent tribunal, are hereby adopted in relation to officers elected or appointed to office under the provisions of this charter.

SEC. 20. Besides a Board of Trustees there shall be chosen in and for the city of Grass Valley at the first election held under this charter, to wit:

A Marshal, a Treasurer, an Assessor, and a Water Collector. The Marshal shall be Chief of Police of said city, and shall also be the collector of all taxes, licenses, and assessments levied by the the Board of Trustees, or otherwise, under this charter. The Water Collector shall be ex officio Superintendent of Streets. All officers other than the members of the Board of Education shall take office at noon on the first Monday after the first day of January next succeeding their election, and shall hold their office for the term of two years; *provided*, that the first election of officers under this charter shall be held on the first day of May, eighteen hundred and ninety-three, and such officers shall take office on the tenth day of May, eighteen hundred and ninety-three, and shall hold office until the first Monday after the first day of January, eighteen hundred and ninety-five, except that the members of the Board of Education shall take office on the tenth day of June, eighteen hundred and ninety-three. All officers shall severally qualify within ten days after their election, and in case of failure so to do, the Board of Trustees may declare the office vacant, and appoint their successor.

SEC. 21. All appointed officers may be removed at the pleasure of the Board of Trustees, who shall prescribe the powers and duties, and fix the compensation of all officers not herein fixed, and shall fill all vacancies. The presiding officer of each Board shall have the right to vote in the selection of every appointee.

SEC. 22. It shall be the duty of the Marshal and Water Collector to devote their entire time to their respective offices.

SEC. 23. All officers, before entering upon their duties, shall take the oath of office required by general laws of public officers, and shall file bonds for the faithful performance of their duties, to be approved by the Board of Trustees, in such sums as the Board may regard proper. If from any cause any of such bonds shall have become insufficient, in the opinion of the Board, they may require of such officer an additional bond, and for failure to comply with such order for a period of ten days, the office shall become vacant.

SEC. 24. All elections for members of the Board of Trustees, Marshal, Treasurer, Assessor, and Water Collector shall, after eighteen hundred and ninety-three, be held simultaneously with the general elections throughout the State, beginning with the general election of eighteen hundred and ninety-four, and the Election Board selected by the Board of Supervisors for the various precincts of the city of Grass Valley, shall ex officio constitute the Board of Election to conduct elections provided for by this charter; *provided, however*, that a separate ballot-box shall be provided for the ballots cast under this charter; *and provided further*, that until the Board of Trustees otherwise ordain, in all elections held under this charter a compliance with the election law of this State, as it existed on the first day of January, eighteen hundred and eighty-nine, including the provision relating to nominations, election proclamations, and ballots shall be deemed sufficient; *provided further*, that the Board of Trustees shall give previous public notice of every election other than school elections for a period of not less than ten days, and that the returns of such elections shall be made to the Board of Trustees, who shall issue certificates of election to the persons having the highest number of votes for each office voted for; *and further provided*, that ordinary white paper may be used for ballots. All ballots shall be uniform, and printed on paper furnished by the Board of Trustees of the city, at cost.

SEC. 25. No person shall be declared elected to any office who is not a resident and qualified elector of the city or precinct from which he is elected.

SEC. 26. The Mayor shall, on the first day of April and October of each year, make out a correct statement of all moneys received and expended, from whom, and for what purpose received, and to whom and for what purpose paid out, during the six months next preceding, and shall cause such statement, within the next ten days thereafter, to be posted in one or more public places in each precinct in said city. If the Mayor shall neglect to make and cause such statement to be published, he shall forfeit for every such neglect the sum of one hundred dollars, to be recovered by suit in any Court of competent jurisdiction. The President of the Board of Education shall publish a like statement at the close of each school year. Within ninety days after the first election held under this charter, the Board of Trustees shall adopt a code of by-laws and ordinances thereunder, and shall print the same in pamphlet form. No further publication shall be necessary to render such ordinances valid, and any elector may procure a copy thereof from the Clerk of the Board at actual cost of printing. Thereafter no ordinance shall take effect until published by being posted for ten days in each precinct in said city, or published for five days in some newspaper printed in said city of Grass Valley, as the Board of Trustees may elect. An order entered in the minutes of the Board that such ordinance has been duly published or posted shall be prima facie proof of such publication or posting. All printing shall be done at a rate to be fixed by the Board of Trustees.

SEC. 27. The Marshal, Treasurer, Assessor, and Water Collector shall be subject to the order of the Board of Trustees, and in case of malfeasance in office, failure or neglect of duty, may be suspended or removed by a vote of the majority of the members of the

Board of Trustees; *provided*, that no officer shall be removed until after charges have been preferred against him and a trial be had before the Board.

SEC. 28. Any Justice of the Peace residing in and having his office within the limits of the city shall have jurisdiction to try all cases involving the violation of any ordinance ordained under this charter, and shall have such further authority in relation to such ordinances as is given him by the Penal Code of this State in relation to misdemeanors; *provided, however*, that in all cases an appeal shall lie from his decision to the Superior Court of Nevada County in like manner as in criminal cases. Any Justice of the Peace performing such services shall receive such fees therefor as the Board of Trustees may ordain. Every Constable, Sheriff, Deputy Sheriff, and policemen residing in the city is authorized to make arrests and serve process under such ordinances, and shall receive therefor such fees as the Board of Trustees may ordain.

COMPENSATION OF OFFICERS.

SEC. 29. The compensation of no officer shall be increased or diminished during the term for which he is elected.

SEC. 30. No member of the Board of Education shall receive any compensation whatever.

SEC. 31. No member of the Board of Trustees shall receive any compensation in excess of fifty dollars per annum.

SEC. 32. The Marshal shall receive such salary as the Trustees may determine, not exceeding the sum of fifty dollars per month, and such fees as License and Tax Collector as may be fixed by the Board of Trustees.

SEC. 33. The Assessor shall receive such compensation, not exceeding two hundred dollars per annum, together with five per cent on such personal property tax as he actually collects, as the Board of Trustees may determine.

SEC. 34. The Water Collector shall receive such salary as the Trustees may determine, not exceeding the sum of one thousand dollars per annum, in full, for all services.

SEC. 35. The City Clerk shall receive such salary as the Board of Trustees may determine, not exceeding the sum of twenty-five dollars per month.

SEC. 36. The Clerk of the Board of Education shall receive such salary as the Board of Education may determine, not exceeding the sum of twelve dollars per month.

ARTICLE III.

REVENUE AND TAXATION.

SECTION 1. The revenue of the city of Grass Valley, other than for school purposes, shall be derived from the following sources, viz.:

(a) A road poll tax, to be levied annually by the Board of Trustees of said city on all male inhabitants thereof over twenty-one years and under fifty-five years of age, which may equal, but shall never exceed, three dollars per individual per annum; *provided*, the Board of Trustees may exempt the members of any authorized fire company, or exempt firemen of the city or town of Grass Valley, from said tax.

(b) A property tax, to be levied by the Board of Trustees of said city upon all property within said city at twelve o'clock m. on the first Monday of March of each year, which may equal, but shall never exceed, fifty cents on each one hundred dollars of the valuation of such property.

(c) Such licenses as the law of this State, or this charter, shall allow said city to levy or collect.

SEC. 2. The present provisions of the Political Code of California, providing a revenue for State and county purposes, in so far as the same may be applicable to the assessment and equalization for taxation, levy, and collection of all taxes and sales of property for delinquent taxes in said city, and licenses levied and provided for by any ordinance of said city, are hereby adopted and extended to all matters arising out of said assessment, levy, and collection and are especially made a part of the charter, the word "City Assessor" being substituted in all cases where County Assessor is in said Code mentioned; the words "Board of Trustees of the city of Grass Valley" substituted wherever the words "Board of Supervisors" occur; the words "Board of Equalization of the city of Grass Valley" being substituted wherever the words "Board of Equalization" occurs therein; and the word "Marshal" being substituted wherever the words "County Treasurer," "Treasurer," or "Tax Collector" occurs therein.

SEC. 3. All taxes shall be a lien on the property taxed, and all personal property tax shall be a lien on the real property belonging to the owner of said personal property, from twelve o'clock m. of the first Monday of March of each year.

ARTICLE IV.

FIRE DEPARTMENT.

SECTION 1. The Fire Department and all fire apparatus, and the purchase thereof, shall be under the management and control of the Board of Trustees.

SEC. 2. The Fire Department shall consist of the three fire companies now existing, and such other companies as may be hereafter organized. A Chief Engineer (who shall be

ex officio Fire Marshal), two Assistant Engineers, and as many members in each company as the Board of Trustees may determine.

SEC. 3. The members of the Fire Department shall elect their own officers and members; *provided*, that the Board of Trustees shall have power to admit newly organized fire companies of fifteen or more members into the Fire Department.

SEC. 4. The Board of Trustees shall suspend or remove (for cause) any officer or member from the Fire Department, and fix and enforce penalties for the violation of any rules or regulations made for the government of the Fire Department.

ARTICLE V.

BOARD OF HEALTH.

SECTION 1. There shall be a Board of Health, which shall consist of five members, who shall be appointed by the Board of Trustees, two of whom must be physicians in active practice and graduates of some reputable medical college. They shall hold office during the pleasure of the Board of Trustees.

SEC. 2. The City Clerk shall be ex officio Clerk of the Board of Health. The Mayor shall be ex officio President of the Board of Health, but not entitled to vote, except in case of a tie, when he shall have a right to vote. Any member failing to qualify within ten days after his appointment, shall be deemed to have declined the office, and a new appointment shall be made. Three members shall constitute a quorum for the transaction of business.

SEC. 3. The Board of Health shall have such general supervision as may be provided by ordinance of all matters appertaining to the sanitary condition of the town, may act in a summary manner in case of contagious diseases, must exercise a general supervision over the death records of the town, and may adopt such forms and regulations, not inconsistent with law and the ordinances of the Board of Trustees, for the use and government of physicians, undertakers, and superintendents of cemeteries, as in their judgment may be best calculated to secure reliable statistics of mortality in the city, and prevent the spread of disease.

SEC. 4. The Board may appoint, when deemed advisable, by and with the consent of the Board of Trustees, a Health Officer, who shall be the executive officer of the Board.

SEC. 5. Any member of the Board of Health and the Health Officer may administer oaths on business connected with the Health Department.

SEC. 6. Whenever it is reported to the Mayor by the Board of Health that there exists on any premises any privy vault, cesspool, or filth deposit which, in the opinion of such Board of Health, is injurious to the health of the neighborhood, and which the owner or occupant has failed to have cleansed or removed for five days after notice so to do from any member of the Board of Health, the Mayor shall order the same to be cleansed or removed, and the expense of so doing shall thereupon become a lien on such premises and a charge against such owner or occupant so notified, to be collected in any Court of competent jurisdiction, together with cost of suit.

ARTICLE VI.

SEWERS.

SECTION 1. The Board of Trustees may, by ordinance, provide for the construction of any sewer at the cost, in whole or in part, of the owners of the real property affected or benefited thereby.

SEC. 2. The provisions of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations of the State of California, approved March thirteenth, eighteen hundred and eighty-three," and all amendments thereto, are hereby adopted, so far as not inconsistent with the provisions of this charter, and made a part hereof, and all the provisions of the general laws of California relating to cities, and not in conflict with this charter, are hereby adopted and made a part hereof; *provided always*, that no sewers shall be constructed on the assessment plan except the consent, in writing, of the owners of two thirds of the property to be affected thereby be first filed with the Board of Trustees; *and further provided*, that no bonds shall ever be issued by said city until the question of the issuance of such bonds shall have been submitted to the voters of said city at a special election, called for that purpose, and no bonds shall ever be issued unless consented to by two thirds of the voters voting at such election. The call for such election must specify the general route of the proposed sewers, the amount proposed to be raised, and the general character of the work.

ARTICLE VII.

STREETS, WATER, AND DRAINAGE.

SECTION 1. The Trustees shall have power to lay out, open, and keep open, alter grade, regulate, and repair the streets, alleys, and sidewalks of the city, and sprinkle and light the same; to provide for, construct, regulate, and keep in repair a system of

sewerage and drainage for the city, and provide for the making of street crossings where they may deem proper; to construct bridges where necessary, and provide for the protection of the same.

SEC. 2. The Board of Trustees may, by ordinance, declare the necessity of the construction or repair of the sidewalks of the city and prescribe the character thereof, and when such ordinance is passed the owner or occupant of the lot may proceed to do the work specified in front of such lot or part of lot so owned or occupied, under the direction and control of the said Board of Trustees, and within such time as may be specified in such ordinance. Whenever such work shall not be done by such owner or occupant within the time prescribed, said Board of Trustees may levy an assessment upon all such lots where such work has not been done, sufficient in amount to defray the expense of such work, which assessment shall be levied and collected by suit in the same manner and under the same provisions of law whereby city taxes now are or may be hereafter collected; and every such assessment shall become and hereby is declared to be a lien upon said lots severally, to attach at the date of the publication of any such ordinance.

SCHEDULE.

SECTION 1. Should any provision of this charter in relation to elections or the election of officers, or the organization of the government of the city, from any cause, prove inoperative or be adjudged invalid, the Board of Trustees are empowered to remedy the same and supply the defect by the adoption of such measures or ordinances as they may deem best adapted thereto, consistent with the general scope of this charter.

SEC. 2. All special Acts relative to the incorporation of the town of Grass Valley, or the formation of the school district of Grass Valley, are hereby repealed, so far as they relate to any territory of the city of Grass Valley.

SEC. 3. All ordinances of the town of Grass Valley shall remain in effect as the ordinances of the city of Grass Valley, until amended or repealed by the Board of Trustees, so far as such ordinances are consistent with this charter.

SEC. 4. All actions under this charter shall be brought in the name of the city of Grass Valley, and every violation of any ordinance enacted under this charter may be denominated a misdemeanor.

SEC. 5. On the adoption of this charter all the present officers of the town of Grass Valley and of the Grass Valley school district shall continue to hold like offices of the city of Grass Valley until their successors are elected and qualified under the provisions of this charter.

This charter shall take effect immediately on its approval by the Legislature of the State of California, as provided by law.

Be it known that the town of Grass Valley, containing a population of more three thousand five hundred and less than ten thousand inhabitants, on the third day of December, eighteen hundred and ninety-two, at a special election held under and in accordance with the provisions of section eight of article eleven of the Constitution of the State of California, did elect the undersigned a Board of fifteen Freeholders, to prepare and propose a charter for said town, and we, the members of said Board, in pursuance of said provision of the Constitution, and within a period of ninety days after such election, have prepared and do propose the foregoing, signed by us in duplicate, as and for the charter of the said town of Grass Valley.

In witness whereof, we have hereunto set our hands and seals this twenty-first day of January, A. D. eighteen hundred and ninety-three. Done in duplicate.

JAMES M. LAKENAN, President.
A. BURROWS.
EDWARD COLEMAN.
GEORGE FLETCHER.
JOHN GLASSON.
WILLIAM GEORGE.
SAMUEL GRANGER.
E. JAMIESON.
W. C. JONES.
CHARLES W. KITTS.
WM. JOS. MICHELL.
THOMAS OTHET.
WILLIAM R. THOMAS.
THEO. H. WILHELM.

Attest: W. D. HARRIS, Secretary.

In testimony whereof the foregoing being correct in all its parts, the Board of Trustees of the town of Grass Valley has caused this instrument to be signed by the President thereof, with the seal of said Board attached, and attested by the Clerk thereof, this twenty-eighth day of February, eighteen hundred and ninety-three.

WM. JOS. MICHELL.
President of the Board of Trustees of the Town of Grass Valley.
Attest: W. D. HARRIS, Clerk.

[SEAL.]

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all members elected to each house voting for and concurring therein), That said charter as presented to and adopted, and ratified by the qualified electors of said city, be and the same is hereby approved as a whole for and as the charter of said city of Grass Valley.

The roll was called and Senate Concurrent Resolution No. 7 adopted by the following vote.

AYES—MESSRS. ARMS, Biggy, Broderick, Campbell, Carpenter, Dunn, Earl, Fay, Flint, Ford, Gesford, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Whitehurst, and Wilson—27.

NOES—None.

SENATE CONCURRENT RESOLUTION.

By Senator Martin: Senate Concurrent Resolution No. 8—

WHEREAS, The Constitutional limit of sixty days' session of this Legislature expires at twelve o'clock, midnight, this day, March 2, 1893; therefore, be it

Resolved, That the Senate, the Assembly concurring, do adjourn *sine die* at twelve o'clock to-night.

Mr. Broderick moved that the resolution be referred to the Committee on Attachés, Contingent Expenses, and Mileage.

Senator McAllister moved to amend by referring to Committee on Judiciary.

Amendment accepted by Senator Broderick, and the resolution thereupon ordered to the Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator Williams:

Resolved, That the resolution appointing C. Clark File Clerk of the Senate be amended to read as follows:

"*Resolved*, That C. Clark be and he is hereby appointed Assistant Secretary of the Senate, with duties of File Clerk, at the same per diem as the Secretary of Senate, to take effect from January 16, 1893, the same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrant for the same."

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bills Nos. 848 and 849 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills shall be read the first, second, and third times, and placed upon their passage.

The roll was called.

Before the vote was announced Senator Voorheis moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

MOTION.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President pro tem. then announced that the resolution was adopted, and Assembly Bills Nos. 848 and 849 declared cases of urgency by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

CASES OF URGENCY.

Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Read first, second, and third times.

MOTION.

Senator Voorheis moved that the bill be recommitted to Senator Broderick, as a special committee of one, to amend as follows:

Amend section one by adding the following: "and the Treasurer is hereby directed to pay to same."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Special Committee of one, to whom was referred Assembly Bill No. 848, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BRODERICK, Committee.

The roll was called, and the report of the special committee and amendment adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

The roll was then called on the final passage of the bill, and the same finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—31.

NOES—None.

Title read and approved.

Assembly Bill No. 849—An Act making an appropriation to pay the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session.

Bill read first and second times.

MOTION.

Senator Broderick moved to amend, as follows:

By adding the following: "and the Treasurer is hereby directed to pay the same."

Adopted.

Assembly Bill No. 849 was then read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Ford, Harp, Hart, Hoyt, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—38.
NOES—None.

Title read and approved.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

The President pro tem. appointed the following-named Senators as a Committee of Conference on Senate Bill No. 214: Senators Maher, Simpson, and Ragsdale; and Committee of Conference on Assembly Bill No. 426: Senators Berry, Maher, and Voorheis.

At nine o'clock and forty-five minutes P. M. Senator Orr moved to adjourn.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced Senator Orr moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—34.

MOTION.

Senator Campbell moved to dispense with further proceedings under the call of the Senate.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Everett, Flint, Ford, Gesford, Hart, Hoyt, Langford, Maher, Ostrom, Ragsdale, Seawell, Shippee, and Simpson—18.
NOES—Messrs. Carpenter, Denison, Dunn, Earl, Fay, Harp, McAllister, McGowan, Mahoney, Martin, Mathews, Mitchell, Orr, Seymour, Streeter, Voorheis, Whitehurst, Williams, and Wilson—19.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that Senators Goucher and McAllister were absent.

MOTION.

Senator McGowan moved that the Senate do now adjourn.

The President pro tem. declared the motion out of order, as the Senators were now proceeding under a call of the Senate.

APPEAL.

Senator McGowan appealed from the decision of the Chair, whereupon the question was put: "Shall the decision of the Chair stand as the decision of the Senate?"

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hoyt, Langford, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Williams—26.

NOES—Messrs. Hart, McGowan, Ostrom, Seawell, and Wilson—5.

MOTION.

Senator Flint moved that further proceedings under the call be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Flint, Gesford, Orr, and Shippee—10.

NOES—Messrs. Denison, Dunn, Earl, Everett, Fay, Ford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Voorheis, Whitehurst, Williams, and Wilson—23.

The Sergeant-at-Arms appeared at the bar of the Senate with Senator McAllister, who was, on motion, excused.

Senator Gesford moved that further proceedings under the call be dispensed with.

So ordered.

The President pro tem. ordered the doors opened.

ADJOURNMENT.

At ten o'clock P. M., on motion of Senator Campbell, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, March 3, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Everett.

LEAVE OF ABSENCE.

On motion of Senator Earl, a leave of absence for the day was granted Senator Hoyt.

SPECIAL ORDERS.

Reconsideration of the vote whereby Assembly Joint Resolution No. 8 was adopted.

The roll was called.

Before the vote was announced Senator Mahoney moved that the reconsideration of the vote whereby Assembly Joint Resolution No. 8 was adopted, be made a special order for Tuesday next, immediately after reading the Journal.

POINT OF ORDER.

During the roll call, and before the vote was announced, the hour of ten o'clock and thirty minutes A. M. having arrived, Senator Orr made a point of order that the hour for the consideration of the urgency file had arrived.

The President declared the point of order well taken.

The hour of ten o'clock and thirty minutes A. M. having arrived, the Senate proceeded to consider bills on the urgency file.

POSTPONEMENT.

On motion of Senator Maher, Substitute for Senate Bills Nos. 291, 183, and 123 was reset for consideration at one o'clock and thirty minutes P. M. this day.

MOTION.

On motion of Senator Hart, Senate Bills Nos. 552, 563, 614, 551, 581, 296, and 615 were set as special orders for consideration at nine o'clock P. M. this day.

URGENCY FILE.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Read first time, and placed on file for second reading.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file, to retain its place, on motion of Senator Carpenter.

Senate Bill No. 327—An Act to appropriate money to pay the interest on State bonds belonging to the University of California, until the State may elect to pay the principal of said bonds.

Passed on file.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Passed on file.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 608—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven, of the Constitution," approved March 2, 1891.

Passed on file, at the request of Senator Gesford, to retain its place.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be com-

menced and prosecuted by the Attorney-General in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Passed on file.

Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Senator Streeter moved to amend, as follows:

By striking out of section one, line one, the words "two hundred thousand," and inserting in lieu thereof the following words: "one hundred and fifty thousand."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 528—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Passed on file.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Passed on file.

Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

Senator Voorheis moved to re-refer this bill to the Committee on Finance.

The roll was called, and the motion lost by the following vote:

AYES—MESSRS. Berry, Biggy, Carpenter, Denison, Everett, Fay, Mathews, Mitchell, Shippee, Simpson, and Voorheis—11.

NOES—MESSRS. Bailey, Broderick, Campbell, Ford, Gesford, Harp, Hart, Maher, Ragsdale, Streeter, Whitehurst, Williams, and Wilson—13.

Senate Bill No. 576 was then read third time, and finally passed by the following vote:

AYES—MESSRS. Arms, Biggy, Broderick, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Hart, Maher, Mahoney, Mathews, Ostrom, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—23.

NOES—MESSRS. Bailey, Berry, Campbell, Gesford, Harp, and Voorheis—6.

Title read and approved.

Senate Constitutional Amendment No. 13—To propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file, at request of author.

Senate Constitutional Amendment No. 2—Relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

Passed on file, at request of author.

By order of the President, the Secretary was directed to read Senate Constitutional Amendments Nos. 1 and 5 without any action intervening, so that on account of their similarity the Senate may choose between them.

Senate Constitutional Amendment No. 1—Proposing to the people of

the State of California an amendment to section seven of article one of the Constitution of the State of California, relating to trial by jury.

Senate Constitutional Amendment No. 5—To propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Senate Constitutional Amendments Nos. 1 and 5 read.

SENATE CONSTITUTIONAL AMENDMENT No. 1.

A resolution proposing to the people of the State of California, an amendment to section seven of article one of the Constitution of the State of California, relating to trial by jury.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session, commencing on the second day of January, A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes that section seven of article one of the Constitution of the State of California be amended to read as follows:

SECTION 7. The right of trial by jury shall be secured to all and remain inviolate; but in all cases, whether civil or criminal, three fourths of the jury may render a verdict. A trial by jury may be waived by the defendant in all criminal cases not amounting to felony, such waiver to be expressed in open Court at the time the case is set for trial; and in civil actions a trial by jury may be waived by the consent of all parties, signified in such manner as may be prescribed by law. In civil actions and cases of misdemeanor the jury may consist of twelve or any number less than twelve upon which the parties may agree in open Court.

Was first considered.

The roll was called, and Senate Constitutional Amendment No. 1 refused adoption by the following vote:

AYES—Messrs. Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Langford, McAllister, Martin, Ostrom, Shippee, and Whitehurst—13.

NOES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Goucher, Harp, Hart, Maher, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, and Wilson—22.

SENATE CONSTITUTIONAL AMENDMENT No. 5.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section seven of article one thereof, relative to trial by jury.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session, commencing, etc., two thirds of all the members elected to each house concurring, hereby proposes that section seven of article one of the Constitution of said State be amended so as to read as follows:

SECTION 7. The right of trial by jury shall be secured to all and remain inviolate. In civil actions and cases of misdemeanor, the jury may consist of twelve, or of any number less than twelve, upon which the parties may agree in open Court; but in criminal cases amounting to felony, the jury shall consist of twelve. In civil actions three fourths of the jury, and in criminal cases five sixths thereof, may render a verdict. A trial by jury may be waived in criminal cases not amounting to felony, by the consent of both parties, expressed in open Court, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law.

Was then considered.

RECESS.

Pending debate, the hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.
President J. B. Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Also: Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Also: Substitute for Senate Bill No. 539—An Act to appropriate money to pay the claim of the Directors of the Women's Relief Corps Home at Evergreen, California.

Also: Senate Bill No. 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Also: Senate Committee Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1884 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Also: Senate Bill No. 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891.

Also: Senate Bill No. 167—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the admission of attorneys and counselors at law.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Substitute for Senate Bills Nos. 291, 183, 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, or cities, and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 457—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Also: Senate Bill No. 686—An Act to amend section three thousand and five of the Political Code, in relation to Boards of Health.

Also: Senate Bill No. 400—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

Also: Senate Bill No. 468—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the powers of railroad corporations to borrow money.

Also: Senate Bill No. 385—An Act to provide for incorporation, operation, and management of cooperative associations.

Also: Senate Bill No. 472—An Act to add a new section to title eleven, chapter one, of part two of the Penal Code of the State of California, to be designated section one thousand four hundred and sixty-two, and relating to the issuance of writs of execution for the purpose of collecting fines imposed in criminal cases.

Also: Senate Bill No. 403—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Also: Senate Bill No. 404—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners.

RAGSDALE, Chairman.

The question then being on the adoption of Senate Constitutional Amendment No. 5.

The roll was called.

Before the vote was announced Senator Gesford moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

The Sergeant-at-Arms was directed to close the doors of the Senate.

MOTION.

Senator Gesford moved that further proceedings under the call of the Senate be dispensed with.

On demand the roll was called, and the motion carried by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Carpenter, Earl, Everett, Fay, Flint, Ford, Gesford, Langford, McAllister, Martin, Mathews, Ostrom, Ragsdale, Shippee, Voorheis, and Whitehurst—20.

NOES—Messrs. Bailey, Berry, Denison, Dunn, Goucher, Harp, McGowan, Maher, Mahoney, Mitchell, Orr, Seawell, Seymour, Simpson, Streeter, and Williams—16.

The Sergeant-at-Arms was directed to open the doors of the Senate.

The President then announced that Senate Constitutional Amendment No. 5 was refused adoption by the following vote:

AYES—Messrs. Biggy, Burke, Campbell, Earl, Fay, Flint, Ford, Gesford, Langford, McAllister, Martin, Ostrom, Ragsdale, Seymour, Shippee, and Whitehurst—16.

NOES—Messrs. Bailey, Berry, Broderick, Denison, Dunn, Everett, Goucher, Harp, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Seawell, Simpson, Streeter, Voorheis, Williams, and Wilson—20.

NOTICE OF RECONSIDERATION.

Senator Voorheis gave notice that on to-morrow he would move a reconsideration of the vote whereby the Senate refused the adoption of Senate Constitutional Amendment No. 5.

MOTION.

On motion of Senator Mahoney, the following special order—reconsideration of the vote whereby Assembly Joint Resolution No. 8 was adopted—was postponed, and made a special order for Tuesday next, immediately after reading the Journal.

SPECIAL ORDER—THIRD READING OF BILL.

Substitute for Senate Bills Nos. 291, 183, 123—An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Gesford, Goucher, Harp, Langford, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Title read and approved.

PETITIONS AND PROTESTS.

Senator Campbell presented the following protest from his district, and requested that it be printed in the Journal:

PROTEST.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good, and not compelled to espouse evil. Sutter and Lake Counties and fifty towns refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by J. C. Bard and one hundred and twenty others.

Also, in the language preceding, a protest signed by L. J. Stone and fifty-seven others, located in Siskiyou County.

Also, by Senator Gesford, in the language preceding, signed by A. G. Wright and one hundred and ten others, all from upper Lake County.

Also, by Senator Goucher, from Reedley, signed by M. W. Ostrom and one hundred and sixty-five others.

Also, by Senator Berry, signed by D. B. Chamberlain and one hundred and eighty-seven others.

Also, by Senator Langford, signed by E. B. Wright and two hundred and twenty others.

Senator Ford asked unanimous consent of the Senate that an order be made directing the Secretary of the Senate to instruct the Engrossing Clerk of the Senate to strike out of lines sixteen and seventeen of page one of the preamble to Senate Concurrent Resolution No. 7, relative to charter of the town of Grass Valley, the words "the completion of," and that said concurrent resolution be engrossed as thus amended.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Substitute for Senate Bill No. 33—An Act to provide for organizing and maintaining Paid Fire Departments within cities and towns, or cities and

counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BAILEY, Chairman.

ON PUBLIC PRINTING.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Public Printing, to whom was referred Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California at the World's Columbian Exposition, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

Assembly Bill No. 839 re-referred to Committee on Finance.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FLINT, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Constitutional Amendment No. 20—Relative to amending section twenty-three of article four of the Constitution of the State of California.

Also: Senate Constitutional Amendment No. 21—Relative to amending section two of article four of the Constitution.

Also: Assembly Constitutional Amendment No. 29—Relative to exemptions from taxation.

Have had the same under consideration, and respectfully report the same back without recommendation.

EARL, Chairman.

On motion of Senator Seawell, of the special committee to investigate the Home for the Adult Blind, the report of said committee previously submitted was adopted and the committee discharged.

ON STATE PRISONS AND PRISON BUILDINGS.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on State Prisons and Prison Buildings, to whom was referred Senate Bill No. 779—An Act to amend section one thousand six hundred and fourteen, title two, of the Penal Code of the State of California, in relation to the government of prisoners sentenced to terms of imprisonment in county jails—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the resolution appointing C. Clark File Clerk of the Senate be amended so as to read as follows:

Resolved, That C. Clark be and he is hereby appointed Assistant Secretary of the Senate, with duties of File Clerk, at the same per diem as the Secretary of Senate, to take effect from January 16, 1893, the same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrant for the same."

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

On motion, the roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Fay, Gesford, Harp, Langford, McAllister, Maher, Mahoney, Martin, Mitchell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—24.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Senator T. C. Maher, for the amount of eighty-four dollars for mileage, on account of the visit of the special committee of the Senate to visit Golden Gate Park in San Francisco.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the report and resolution was adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Gesford, Harp, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Williams, and Wilson—26.

NOES—None.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 1, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns—have had the same under consideration, and respectfully report the same back without recommendation.

McGOWAN, Chairman.

The hour of two o'clock having arrived, the consideration of Assembly Bills by joint rules set for this hour was proceeded with.

SPECIAL ASSEMBLY FILE.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1884 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

MOTION.

Senator Carpenter moved that Substitute for Assembly Bill No. 10 be referred to Senator Voorheis, as a special committee of one, with instructions to amend the same as follows:

1. By striking out of lines one and two, in section one thereof (as printed), the words "eighteen hundred and eighty-four," and insert in lieu thereof the words "eighteen hundred and eighty-two."

2. Also, strike out of line six, in section one, the words "eighteen hundred and eighty-four," and insert in lieu thereof the words "eighteen hundred and eighty-two."

3. Also, amend line three of the title by striking out the figures "1884," and insert in lieu thereof "1882."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Substitute for Assembly Bill No. 10, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

VOORHEIS, Committee.

The roll was called, and the report and amendments adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Hoyt, McGowan, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams—24.

NOES—Messrs. Arms, Biggy, Dunn, Fay, Gesford, Harp, Langford, McAllister, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—14.

EXPLANATIONS.

Senator Burke gave the following explanation of his vote: "I vote 'Aye' on this amendment, it being the same offered by me a few days ago, and while I think it will improve the substitute amended, yet I do not thereby indorse the latter, as it is in other respects radically wrong."

Senator McGowan also gave the above explanation as to his vote.

Senate Substitute for Assembly Bill No. 10 ordered to print and reëngrossment as amended.

THIRD READING OF BILL.

Assembly Bill No. 114—An Act to provide for the organization, incorporation, and government of towns.

Read third time, and the bill refused final passage by the following vote:

AYES—Messrs. Arms, Biggy, Campbell, Carpenter, Harp, Simpson, Streeter, and Williams—8.

NOES—Messrs. Berry, Broderick, Burke, Earl, Everett, Fay, Gesford, Goucher, Hoyt, Langford, McGowan, Maher, Mahoney, Mitchell, Ostrom, Ragsdale, Seymour, and Wilson—18.

NOTICE OF RECONSIDERATION.

Senator Gesford gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 114 was refused final passage.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Passed on file.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

MOTION.

Senator Goucher moved to pass the bill on file.

ROLL CALL DEMANDED.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Dunn, Goucher, Harp, Hart, Mathews, Mitchell, Seawell, and Wilson—9.

NOES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Earl, Fay, Gesford, Hoyt, McAllister, Maher, Martin, Voorheis, Whitehurst, and Williams—15.

MOTION.

Senator Goucher moved that Assembly Bill No. 138 be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Joint Resolution No. 4—Relating to the free and unlimited coinage of silver.

Passed on file.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Passed on file.

Assembly Bill No. 296—An Act to amend sections thirty-eight to fifty-three, inclusive, of an Act approved March 31, 1891, adding those sections to an Act to provide for work upon streets, alleys, lanes, courts, places, and sidewalks, and for the construction of sewers within municipalities, approved March 18, 1885.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

John—Harris, Roger, Harshbarger, Burton, Campbell, Cunningham, Jackson, Jones, Earl, Brown, Van Hook, and 12 members of the House, of the Senate, of various Maryland Departments, Senators, Senators, Legislators, Legislators, and 12 members of the House.

Table read and approved.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Passed on file.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and thirteen, relating to the commission of the executor or the administrator, with the will annexed, in cases where the administration is, for the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

Assembly Bill No. 413—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the possession of game birds and animals and providing punishment for the unlawful taking, killing and transportation thereof.

AMENDMENTS

Senator Burke moved to amend, as follows:

By striking out of section one, hereinafter proposed, the word "and."

Adopted.

Senator McPherson moved to amend, as follows:

By striking out of section one, line three, the word "hereinafter" and inserting the following: "and."

Lost.

Ayes.

Senator McPherson moved to amend, as follows: the word "hereinafter" and insert the following: "and."

Lost.

Senator Burke moved to amend, as follows:

By striking out of section one, hereinafter proposed, the word "and" and inserting the following: "or."

Adopted.

Senator McPherson moved to amend, as follows:

By striking out of section one, line three, the word "and" and inserting the following: "or."

Adopted.

Bill referred to print as amended, engrossed, and on file for third reading.

Assembly Bill No. 413—An Act providing for approval from officers of the Board of Supervisors, hereinafter, in relation to farm, meadowland or grazing land, the taking off lands from each district, or including lands in each district, or consolidating any land or meadowland, or grazing land.

Passed on file temporarily.

Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Read first time, and placed on file for second reading.

Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Read first time, and placed on file for second reading.

Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Read first time, and placed on file for second reading.

Assembly Bill No. 193—An Act to provide for the incorporation, operation, and management of coöperative associations.

Read first time, and placed on file for second reading.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and sixteen, and three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read first time, and ordered on file for second reading.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Read first time, and placed on file for second reading.

Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes, for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Read first time, and placed on file for second reading.

Substitute for Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Read first time.

MOTION.

Senator Hart moved that Substitute for Assembly Bill No. 396 be substituted for Senate Bill No. 392, and that Substitute for Assembly Bill No. 396 be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

Substitute for Assembly Bill No. 643—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Read first time, and placed on file for second reading.

Assembly Bill No. 847—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison of a building for the accommodation of the insane prisoners, and making appropriation therefor," approved March 19, 1889.

Read first time, and placed on file for second reading.

Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Read first time, and placed on file for second reading.

Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Read first time, and placed on file for second reading.

Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Read first time, and placed on file for second reading.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Read first time, and placed on file for second reading.

Assembly Concurrent Resolution No. 18—Relative to granting Frank P. Boynton a leave of absence.

The roll was called, and Assembly Concurrent Resolution No. 18 adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Hart, Maher, Mahoney, Martin, Mathews, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—25.

NOES—Messrs. Bailey and Langford—2.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of March, passed Assembly Bill No. 581—An Act to amend section five hundred and one of the Civil Code, relating to street railways.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 778—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of March, passed Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Also: Assembly Bill No. 726—An Act to amend section two hundred and seventy-two of the Penal Code, relative to the licensing of children in theatrical exhibitions.

Also: Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Also: Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reentry upon real property.

Senate Bill No. 149—An Act to amend sections two, five, seven, and ten of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities less than one hundred thousand population.

Also: Adopted Senate Concurrent Resolution No. 1—Relative to the distribution of duplicate copies of the California Statutes and Supreme Court Reports, now in the State Library, to the different County Law Libraries.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bills Nos. 354, 726, and 85 referred to Committee on Judiciary.

Assembly Bill No. 305 ordered on file.

Senate Bill No. 149, and Senate Concurrent Resolution No. 1, ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, in pursuance to like action of the Senate, appointed Messrs. Conway, Matthews of San Benito, and Taggart as a Committee of Conference to meet the Senate committee for action upon the disagreements existing between the Senate and Assembly on Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

GEO. W. PECKHAM, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of March, adopted Assembly Concurrent Resolution No. 19—Relative to "Extending congratulations to the Hon. A. Caminetti, Representative in Congress, upon the successful enactment of the bill commonly known as the Caminetti Bill, concerning mining and river interests in the State of California."

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to Senate, Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police and police officers, in cities in the State of California containing not less than ten thousand and not exceeding thirty thousand inhabitants.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

On motion of Senator Maher, Assembly Bill No. 244 was ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of March, passed Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 200 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 513—An Act to prevent the spread of contagious or infectious diseases among domestic animals.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, in pursuance to like action of the Senate, appointed Messrs. Mathews of Tehama, Lynch, and Gallagher as a Committee of Conference to meet the Senate committee for action upon the disagreements existing between the Assembly and Senate on Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

GEO. W. PECKHAM, Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendments to the following Assembly Bills:

Assembly Bill No. 848—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Also: Assembly Bill No. 849—An Act making an appropriation for the deficiency in the appropriation for the per diem and mileage of the Assembly for the thirtieth session.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

SUBSTITUTION.

Senator Broderick was granted unanimous consent to withdraw Senate Bill No. 628 (No. 197 on file), and to substitute therefor Assembly Bill No. 305, they being identical bills.

The history of Senate Bill No. 628 is as follows: Bill read first time.

Senate Bill No. 628 withdrawn, and Assembly Bill No. 305 substituted therefor on file.

MOTION.

Senator Carpenter moved that Assembly Bill No. 280 be made the special order for Tuesday, immediately after reading the Journal.
So ordered.

ASSEMBLY AMENDMENT CONCURRED IN.

Senator Gesford moved that the Senate do now concur in the Assembly amendment to Senate Bill No. 36, as follows:

By adding after the word "alterations," on line twenty-five, section one, the words "except for roofs."

Amendment concurred in unanimously.

SUBSTITUTION.

Senator Flint was granted unanimous consent to withdraw Senate Bill No. 412 (No. 81 on file), and to substitute therefor Senate Bill No. 680 (No. 249 on file).

Senate Bill No. 412 withdrawn.

REPORT OF COMMITTEE OF CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee of Conference concerning Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year—report that we have met a like committee of the Assembly, consisting of Assemblymen Mathews, Lynch, and Gallagher, and we report that the committee agreed upon and recommend the following amendment:

In section one, first line of printed bill, strike out the word "one," and instead insert the word "two."

BERRY,
MAHER,
VOORHEIS,
MATHEWS,
LYNCH,
GALLAGHER,
Conference Committee.

Report of Committee of Conference adopted unanimously, and ordered transmitted to the Assembly.

RESOLUTIONS.

By Senator Everett:

Resolved, That E. W. Shaeffer be and he is hereby allowed the sum of twenty-five dollars, for expressage in removing mail matter from the General Post Office to and from the Capitol, for the thirtieth session of the Legislature; and the Controller is hereby authorized and directed to draw his warrant upon the Treasury in favor of said E. W. Shaeffer, and the Treasurer is directed to pay the same, the above amount to be paid out of the fund for the contingent expenses of the Senate.

Referred to the Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Flint:

Resolved, That the provisions of the Constitution relating to the time in which bills may be introduced is hereby suspended, and permission granted to Senator Flint to introduce Senate Bill No. 781.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, and Williams—30.

NOES—None.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee, as follows:

By Senator Flint: Senate Bill No. 781—An Act to appropriate money to aid in erecting a monument over the grave of ex-Governor Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Referred to Committee on Finance.

RESOLUTION.

By Senator Ostrom:

WHEREAS, At the twenty-ninth session of the Legislature the sum of three hundred thousand (\$300,000) dollars was appropriated for the purpose of having California and its products properly represented at the World's Fair, to be held in Chicago; and whereas, said sum of three hundred thousand (\$300,000) dollars was placed at the disposal of the California World's Fair Commissioners, to be by them expended for certain purposes, as provided for in the Act making said appropriation; and whereas, it has been asserted that considerable of said sum of three hundred thousand (\$300,000) dollars has been misapplied and diverted from the use and purposes contemplated in the Act making said appropriation; therefore, be it

Resolved by the Senate of the State of California, That said World's Fair Commissioners are instructed to immediately furnish this Senate an itemized statement of all expenditures made and paid out of said above-mentioned appropriation, to whom paid, and for what purpose. Said statement to show all salaries and traveling expenses paid. Such itemized statement to also show the balance on hand, and where and with whom the same is deposited, and available for the uses of said Commissioners.

Resolved, That the President of this Senate forward a copy of these resolutions to the World's Fair Commissioners at once.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Langford, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Williams, and Wilson—29.

NOES—None.

MOTION.

On motion of Senator Langford, Senate Bill No. 757 was taken up and read first time.

Senate Bill No. 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Read first time, and, on motion of Senator Langford, was made a special order for nine o'clock p. m. next Saturday.

President pro tem. R. B. Carpenter in the chair.

The hour of three o'clock and thirty minutes having arrived, the Senate proceeded to the consideration of urgency file, as per Senate rules.

CASES OF URGENCY FILE—SECOND AND THIRD READING OF BILL.

Assembly Bill No. 734—An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Flint, Ford, Gesford, Hart, Hoyt, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Shippee, Streeter, and Williams—22.

NOES—Messrs. Arms, Berry, Burke, Dunn, Fay, Harp, Mitchell, Whitehurst, and Wilson—9.

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

The following committee amendment was submitted:

Amend by striking out in line four of printed bill all commencing with "are" and including "orders."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

SECOND AND THIRD READING OF BILLS.

Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—34.

NOES—None.

Title read and approved.

Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Passed on file, in absence of Senator Goucher.

Senate Bill No. 156—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 12, 1872, approved March 20, 1889, relating to elections.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Streeter, and Wilson—25.

NOES—None.

Title read and approved.

Assembly Bill No. 700—An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same; and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Fay, Flint, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Carpenter, Earl, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Senate Bill No. 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Carpenter, Earl, Everett, Fay, Ford, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—27.

NOES—None.

Title read and approved.

Senate Bill No. 604—An Act to amend section three hundred and thirty-three of the Political Code, relating to the printing of public reports.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Everett, Fay, Ford, Langford, McAllister, McGowan, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—29.

NOES—None.

Title read and approved.

Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Read second time, considered engrossed, and read third time.

CALL OF THE SENATE.

Before the roll was called upon the final passage of the bill, Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that Senators Gesford and Hart were absent.

MOTION.

Senator Shippee moved to dispense with further proceedings under the call of the Senate.

So ordered.

The President pro tem. ordered the doors opened.

The roll was then called on the final passage of the bill (Senate Bill No. 193), and the same finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Ford, Gesford, Goucher, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—Messrs. Arms, Dunn, Everett, Harp, Mathews, and Mitchell—6.

Title read and approved.

RECESS.

At four o'clock and fifty-eight minutes P. M., on motion of Senator Goucher, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

MOTION.

On motion of Senator Seawell, Senate Bill No. 780 was placed on the urgency file.

POSTPONEMENT.

On motion of Senator Langford, Senate Bill No. 757 (No. 341 on file), was reset as a special order and made a special order for Monday next at nine o'clock P. M.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Passed on file.

Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

Passed on file.

Senate Bill No. 397—An Act to amend section two hundred and ninety-

one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

Passed on file.

Senate Bill No. 138—An Act relating to interest and usury.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Fay, Gesford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—28.

NOES—Messrs. Bailey, Carpenter, Denison, Everett, Flint, Mitchell, Shippee, and Whitehurst—8.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Hart gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 138 was this day finally passed.

Senate Bill No. 431—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 4, 1872, relating to presentments by a Grand Jury.

Passed on file, on motion of Senator Orr.

Senate Bill No. 168—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as section three hundred, determining who shall practice law in the several Courts of this State.

Read third time.

The roll was called.

CALL OF THE SENATE

Before the vote was announced Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

MOTION.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the Senate refused to finally pass Senate Bill No. 168, by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Earl, Ford, Goucher, Hart, Langford, McAllister, Maher, Mahoney, Ostrom, Seawell, Streeter, Whitehurst, and Wilson—17.

NOES—Messrs. Arms, Bailey, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Gesford, Harp, Hoyt, McGowan, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Voorheis, and Williams—23.

NOTICE OF RECONSIDERATION.

Senator McGowan gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Bill No. 168 was this day refused final passage.

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Passed on file.

SECOND READING OF BILLS.

Substitute for Senate Bill No. 33—An Act to provide for organizing and maintaining paid fire departments within cities and towns, or cities and counties in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively.

Passed on file.

Senate Bill No. 175—An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor.

Senator Simpson moved to strike out the enacting clause of the bill. The hour of nine o'clock p. m. having arrived, Senator Simpson moved that the special orders set for this hour be postponed until the matter under discussion be disposed of.

So ordered.

The roll was then called on the motion of Senator Simpson to strike out the enacting clause, and the motion carried by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Ford, Gesford, Goucher, Harp, Hart, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—25.

NOES—Messrs. Bailey, Berry, Broderick, Everett, Ragsdale, Seymour, Streeter, and Williams—8.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that on to-morrow he would move a reconsideration of the vote whereby the enacting clause of Senate Bill No. 175 was this day stricken out.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 296—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

In section one, strike out the words "seven thousand five hundred," and insert the words "five thousand."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend section one, by adding thereto, after the word "wells," the words "which amount shall be in full payment for all claims and demands against the State of California."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 673—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Also: Senate Bill No. 471—An Act to amend section seven hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employe at the time of making payment, and, in case of such absence, the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Also: Senate Bill No. 102—An Act to amend an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, by adding a new section thereto, to be numbered section five hundred and ninety-three, relating to the destruction of trees growing upon highways.

RAGSDALE, Chairman.

SPECIAL ORDER.

Senator Berry called up the following special order—reconsideration of the vote whereby the enacting clause was stricken from Senate Bill No. 377—and moved that the same be postponed until to-morrow immediately after the reading of the Journal.

So ordered.

MOTION.

Senator Goucher, at nine o'clock and fifteen minutes P. M., moved to adjourn.

Lost.

CALL OF THE SENATE.

Senator Goucher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Mahoney, Martin, Mathews, Orr, Ragsdale, Shippee, Simpson, Voorheis, and Wilson.

MOTION.

Senator Goucher moved to dispense with further proceedings under the call of the Senate.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line one, the word "five," and inserting the following: "four."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section two, line two, the word "five," and inserting the following: "four."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line one, the word "five," and inserting the following: "three."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section two, line two, the word "five," and inserting the following: "three."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line one, the word "ten," and inserting the following: "three."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section two, line three, the word "ten," and inserting the following: "three."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking from section two, printed bill, all that follows the word "same" in line three.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line one, the word "ten," and inserting the following: "three."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section two, line two, the word "ten."

Adopted.

COMMITTEE AMENDMENT No. 3.

Strike from section two, printed bill, all that follows the word "same" in line three.

Adopted.

Read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend section one by striking out the word "ten" on line one, also, the figures "\$10,000," and inserting in lieu thereof the word "five," also, the figures "\$5,000;" also, striking out all after the word "assigns" on line three, and inserting in lieu thereof the words "against the State of California."

Adopted.

COMMITTEE AMENDMENT No. 2.

Strike out section three, and renumber section four, section three.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line one, the word "ten," and inserting the following: "one."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section two, line two, the word "ten," and inserting the following: "one."

Adopted.

COMMITTEE AMENDMENT No. 3.

Strike from section two, printed bill, all that follows the word "same" in line three.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

MOTION.

On motion of Senator Hart, Senate Bills Nos. 296, 615, 614, 551, 531, 552, and 563 were made special orders for consideration Monday evening next, at nine o'clock P. M.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, March 3, 1893.

To the Senate of the State of California:

I herewith return to your honorable body, without my approval, Senate Bill No. 49, entitled "An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party."

I have been urged to sign this bill for the reason that the appropriation asked for is so small. I cannot, however, overlook the fact that in all probability other bills making appropriations for similar purposes will be before me. I recall among the probabilities an additional appropriation of fifteen thousand dollars to restore Sutter's Fort in this county, ten thousand dollars for the preservation, protection, and improvement of Colton Hall in Monterey County, and five thousand dollars for the erection of a monument in Sonoma County in memory of General Vallejo. In addition, twelve hundred dollars will no doubt be appropriated for the payment of the salary of the keeper of the Marshall Monument. I am informed by competent authority that the number of visitors from without the county of El Dorado that paid the monument a visit during the past year did not perhaps exceed six hundred. It will thus be seen that the State pays out to the keeper, annually, a sum equivalent to one dollar for each of these visitors.

I appreciate the patriotic and reverential feeling which prompts your honorable body to desire to perpetuate the memories of the gallant men and women of the early history of this State, and to preserve the visible evidences of the active life of its pioneers. As Sutter's Fort is partially restored, there seems to be merit in its completion; and as our necessities are so pressing, and the demands so great, I think that one such expenditure at the present time will be considered as sufficient by the people. The monument to the Donner party would strike me much more forcibly were it not for the fact that one of the most beautiful lakes in the world, and one of the most beautiful spots in California, already bears that historical name; and piles of stone on its banks could in no way aid in perpetuating the memory of that party.

H. H. MARKHAM, Governor.

MOTION.

On motion of Senator Ford, the above message of the Governor was made a special order for consideration to-morrow, immediately after the reading of the Journal.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, {
SACRAMENTO, March 3, 1893.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 76, 220, 481, 480, 320, 132, and Committee Substitute for Senate Bill No. 120.

H. H. MARKHAM, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered transmitted to the Senate, Assembly Bill No. 284—An Act for the relief of George Dougherty.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Williams was granted unanimous consent to withdraw Senate Bill No. 226 (No. 128 on file), and to substitute therefor Assembly Bill No. 284, they being identical bills.

The history of Senate Bill No. 226 is as follows: Bill read first time.

Senate Bill No. 226 withdrawn, and Assembly Bill No. 284 substituted on special Assembly file.

RESOLUTION.

By Senator Earl, for Committee on Constitutional Amendments:

Witnesses before Committee on Constitutional Amendments.

| Name and Residence. | No.
Days. | Amount. | Miles—
Direct. | Amount. | Total. |
|--|--------------|---------|-------------------|----------|------------|
| Waldo S. Waterman, San Diego, Cal..... | 2 | \$4 00 | 566 | \$113 20 | \$117 20 |
| Thos. Mellersh, San Rafael, Cal..... | 2 | 4 00 | 96 | 19 20 | 23 20 |
| D. Freeman, Los Angeles, Cal..... | 2 | 4 00 | 478 | 95 60 | 99 60 |
| A. J. Harrell, Visalia, Cal..... | 2 | 4 00 | 211 | 42 20 | 46 20 |
| J. F. Burgin, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| Geo. J. Locke, San Diego, Cal..... | 2 | 4 00 | 566 | 113 20 | 117 20 |
| W. J. McMullen, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| C. O. Johnson, San Luis Obispo, Cal..... | 2 | 4 00 | 293 | 58 60 | 62 60 |
| J. M. Fulton, Reno, Nev..... | 2 | 4 00 | 160 | 32 00 | 36 00 |
| L. T. Garnsey, Los Angeles, Cal..... | 2 | 4 00 | 478 | 95 60 | 99 60 |
| H. B. Gillis, Yreka, Cal..... | 2 | 4 00 | 285 | 57 00 | 61 00 |
| E. W. Jones, Colusa, Cal..... | 2 | 4 00 | 80 | 16 00 | 20 00 |
| D. A. Bender, Carson City, Nev..... | 2 | 4 00 | 191 | 38 20 | 42 20 |
| R. H. Wade, Los Angeles, Cal..... | 2 | 4 00 | 478 | 95 60 | 99 60 |
| F. S. Ferris, Los Angeles, Cal..... | 2 | 4 00 | 478 | 95 60 | 99 60 |
| J. Churchill, Yreka, Cal..... | 2 | 4 00 | 285 | 57 00 | 61 00 |
| Wm. Collier, Riverside, Cal..... | 2 | 4 00 | 588 | 117 60 | 121 60 |
| John F. Kidder, Grass Valley, Cal..... | 2 | 4 00 | 71 | 14 20 | 18 20 |
| F. A. Autenreith, Yreka, Cal..... | 2 | 4 00 | 285 | 57 00 | 61 00 |
| J. M. Walbridge, Yreka, Cal..... | 2 | 4 00 | 285 | 57 00 | 61 00 |
| W. F. Russell, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| S. M. Buck, Eureka, Cal..... | 2 | 4 00 | 312 | 62 40 | 66 40 |
| Jas. P. Brown, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| J. S. Leeds, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| J. M. Wood, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| Totals | | | 6,690 | | \$1,438 00 |

Mileage of Sergeant-at-Arms, Thos. Rodgers, witnesses before Committee on Constitutional Amendments.

| Name and Residence. | Miles Down. | Miles Return. | Total Miles. | Total Amount. |
|---|-------------|---------------|--------------|---------------|
| Waldo S. Waterman, San Diego, Cal. | 566 | 566 | 1,132 | \$113 20 |
| Geo. J. Locke, San Diego, Cal. | | | | |
| Thos. Mellersh, San Rafael, Cal. | | | | |
| A. J. Harrell, Visalia, Cal. | 211 | 211 | 422 | 42 20 |
| D. Freeman, Los Angeles, Cal. | 478 | 478 | 956 | 95 60 |
| L. T. Garnesey, Los Angeles, Cal. | | | | |
| K. H. Wade, Los Angeles, Cal. | | | | |
| F. S. Perris, Los Angeles, Cal. | | | | |
| J. F. Burgin, San Francisco, Cal. | | | | |
| C. F. Smurr, San Francisco, Cal. | 84 | 84 | 168 | 16 80 |
| Richard Gray, San Francisco, Cal. | | | | |
| W. F. Russell, San Francisco, Cal. | | | | |
| Wm. J. McMullen, San Francisco, Cal. | | | | |
| C. O. Johnson, San Luis Obispo, Cal. | | | | |
| J. M. Fulton, Reno, Nev. | 160 | 160 | 320 | 32 00 |
| E. W. Jones, Colusa, Cal. | 80 | 80 | 160 | 16 00 |
| H. B. Gillis, Yreka, Cal. | 285 | 285 | 570 | 57 00 |
| J. Churchill, Yreka, Cal. | | | | |
| F. A. Autenreith, Yreka, Cal. | | | | |
| J. M. Walbridge, Yreka, Cal. | | | | |
| D. A. Bender, Carson City, Nev. | | | | |
| Wm. Collier, Riverside, Cal. | 588 | 588 | 1,176 | 117 60 |
| John F. Kidder, Grass Valley, Cal. | 71 | 71 | 142 | 14 20 |
| S. M. Buck, Eureka, Cal. | 312 | 312 | 624 | 62 40 |
| A. Burrows, Nevada City, Cal. | 71 | 71 | 142 | 14 20 |
| J. C. Martin, Oakland, Cal. | 91 | 91 | 182 | 18 20 |
| W. G. Curtis, San Francisco, Cal. | 84 | 84 | 168 | 16 80 |
| Jas. P. Brown, San Francisco, Cal. | | | | |
| J. M. Wood, San Francisco, Cal. | | | | |
| G. L. Lansing, San Francisco, Cal. | | | | |
| J. S. Leeds, San Francisco, Cal. | | | | |
| Totals | | | 7,322 | \$732 20 |

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Thomas Rodgers, Sergeant-at-Arms of the Senate, for the amount of two thousand one hundred and seventy dollars and twenty cents (\$2,170 20), for expenses incurred in the case of Constitutional Amendment No. 8, and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

State of California, to Luke Kavanagh, Dr.:

To reporting and transcribing testimony and proceedings taken before Senate Committee on Constitutional Amendments, during the consideration of Constitutional Amendment No. 8:

Two thousand one hundred and fifty folios..... \$430 00

Nine per diems..... 90 00

Total \$520 00

Resolved, That Luke Kavanagh be and he is hereby allowed the sum of five hundred and twenty dollars for reporting and transcribing testimony taken before Senate Committee on Constitutional Amendments, and the Controller is hereby directed to draw his warrant in favor of said Luke Kavanagh for the said sum, to be paid out of the Contingent Fund of the Senate, and the Treasurer is hereby authorized to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 214.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee of Conference concerning Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—report that we have met a like committee of the Assembly, consisting of Assemblymen J. H. Matthews, Conway, and Taggart, and we report that the committee agreed upon and recommend the following:

That the Assembly recede from its amendment by striking from section one, line eight of printed bill of February 23, 1893, the words "of Sacramento," and insert in lieu thereof the words "of San Francisco."

T. C. MAHER,
J. W. RAGSDALE,
WM. SIMPSON,
Conference Committee.

Report of Committee of Conference adopted unanimously.

SENATE CONCURRENT RESOLUTION.

By Senator Maher: Senate Concurrent Resolution No. 9—

Resolved by the Senate, the Assembly concurring, That the State Printer be directed to print and bind in appropriate style five hundred copies of the proceedings of the Senate and Assembly, and of the joint memorial session of the Legislature, in respect to the memory of James G. Blaine, and that one copy thereof be transmitted to Mrs. Blaine, one copy to each of the representatives of this State in the Congress of the United States, and three copies be reserved for each member of this Legislature.

Senator Hart moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragdsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—32.

NOES—None.

Resolution ordered to engrossment.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 326—An Act appropriating fifteen thousand dollars in connection with Oakland waterfront, San Antonio Creek, and Alameda waterfront—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 781—An Act to appropriate money to aid in erecting a monument over the grave of ex-Governor William Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

On motion of Senator Goucher, the consideration of Senate Bill No. 781 was set as a special order for one o'clock and thirty minutes p. m. to-morrow.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 143—An Act to regulate the rate of interest in this State—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

FLINT, Chairman.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

EARL, Chairman.

Senator Seawell was granted unanimous consent to withdraw Assembly Joint Resolution No. 4 (No. 364 on file), and to substitute therefor Assembly Bill No. 365.

Assembly Joint Resolution No. 4 withdrawn.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS—MAJORITY REPORT.

SENATE CHAMBER, SACRAMENTO, March 2, 1893.

MR. PRESIDENT: Your Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 564—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Also: Senate Bill No. 565—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Have had the same under consideration, and respectfully report the same back without recommendation.

HOYT, Chairman.

ON PUBLIC AND SWAMP AND OVERFLOWED LANDS—MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: The undersigned, a member of the Committee on Public and Swamp and Overflowed Lands, to whom was referred Senate Bill No. 564—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Also: Senate Bill No. 565—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Have had the same under consideration, and respectfully report the same back, and recommend, by way of a minority report, that they do not pass.

OSTROM.

On motion of Senator Mahoney, Senate Bill No. 388 (No. 106 on file) and Senate Bill No. 225 (No. 53 on file) were ordered to have places exchanged on file.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 683—An Act to pay the claim of C. Schindler against the State of California.

Also: Senate Bill No. 735—An Act to pay the claim of Thomas Curtin, or his heirs, against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 744—An Act for the relief of Agnes Lynch, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back without recommendation.

CAMPBELL, Chairman.

Senate Bills Nos. 683, 735, and 744 re-referred to Committee on Finance.

Senator Hart moved to refer Senate Bills Nos. 564 and 565 to Committee on Finance.

So ordered.

ADJOURNMENT.

At nine o'clock and forty-eight minutes P. M., on motion of Senator Burke, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, March 4, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Berry.

APPROVAL OF JOURNALS.

The Journals of Saturday, February 25th, Monday, February 27th, Tuesday, February 28th, Wednesday, March 1st, and Thursday, March 2d, were approved.

POSTPONEMENTS.

On motion of Senator Voorheis, the following, reconsideration of the vote whereby Senate Bill No. 133 was refused passage, and the reconsideration of the vote whereby the Senate refused to adopt Senate Constitutional Amendment No. 5 on March 3, 1893, both set as special orders for this hour, were reset as a special order for Tuesday next, immediately after the reading of the Journal.

On motion of Senator Maher, the reconsideration of the vote whereby Senate Bill No. 75 was refused passage, set as a special order for this hour, was reset as a special order for Tuesday, immediately after the reading of the Journal.

On motion of Senator Hart, the reconsideration of the vote whereby Senate Bill No. 138 was passed on March 3, 1893, set as a special order

for this hour, was reset as a special order for Tuesday next, immediately after the reading of the Journal.

On motion of Senator Berry, the reconsideration of the vote whereby the enacting clause was stricken from Senate Bill No. 377, set as a special order for this hour, was reset as a special order for Tuesday next, immediately after the reading of the Journal.

Senator Ostrom moved to take up for consideration Senate Bill No. 173.

So ordered.

Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

On motion of Senator Ostrom, the above was made a special order for consideration Monday next, at nine o'clock P. M.

Senator Goucher moved that the following special orders set for this hour be postponed and made special orders for one o'clock and thirty minutes P. M. this day:

Special orders set for Saturday, March 4th, immediately after reading the Journal:

Reconsideration of the vote whereby Senate Bill No. 323 was passed on February 20, 1893.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Substitute for Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

So ordered.

LEAVE OF ABSENCE.

The following leaves of absence were granted:

On motion of Senator Maher, Senator Langford for the day; Senator Campbell, for the afternoon and evening sessions.

On motion of Senator Biggy, Senator Arms for the day.

By request, Senators Earl and Mathews for the day, after recess.

By request, Senator McAllister for the day.

MOTION.

On motion of Senator Maher, by request of Senator Langford, the consideration of Senate Bill No. 162 (No. 95 on file) was made a special order for Tuesday next, immediately after reading the Journal.

INTRODUCTION OF SENATE CONCURRENT RESOLUTION.

By Senator Voorheis: Senate Concurrent Resolution No. 10—

Resolved by the Senate, the Assembly concurring, That the Legislature, thirtieth session, shall adjourn *sine die* Tuesday, March 14, 1893, at twelve o'clock P. M.

The hour of ten o'clock and thirty minutes A. M. having arrived, the Senate proceeded to consider bills on the urgency file.

URGENCY FILE.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Read second time, and ordered to engrossment and to a third reading.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Senate Bill No. 327—An Act to appropriate money to pay the interest on State bonds belonging to the University of California, until the State may elect to pay the principal of said bonds.

SUBSTITUTION.

Senator Earl was granted unanimous consent to withdraw Senate Bill No. 327 (No. 5 on file), and to substitute therefor Senate Bill No. 662.

Senate Bill No. 327 withdrawn, and Senate Bill No. 662 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 662—An Act to promote the practical study of the sciences in the high schools of California.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out the words "and including the Normal," at the end of line two, section one of the printed bill, and the word "schools" at the beginning of line three of the same section.

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out the words "Normal and," in line five of the printed bill, in section one.

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out the words "and the Normal Schools," in section two.

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend by striking out, in section three of the printed bill, the words "and such Normal School is enti," at the end of line five, and "tied to two hundred dollars annually for same purpose," at the commencement of line six.

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend by striking out of line eight of section three of the printed bill, the words "and Normal."

Adopted.

Bill read second time, ordered printed and engrossed as amended, and on file for third reading.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Passed on file.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

THIRD READING OF BILLS.

Senate Bill No. 222—An Act making an appropriation for the erection of an additional building for the State Normal School at Chico.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—Senator Burke—1.

Title read and approved.

Substitute for Senate Bill No. 539—An Act to appropriate money to pay the claim of the Directors of the Women's Relief Corps Home at Evergreen, California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

Senate Bill No. 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds.

Read third time.

MOTION.

Senator Mathews moved that Senate Bill No. 269 be referred to Senator Everett, as a special committee of one, with instructions to amend the same as follows:

Amend by inserting in section one, line two, after the word "Treasurer," the following: "Major-General."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 269—An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds—with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

EVERETT, Committee.

Report of special committee of one and amendment adopted.
Bill ordered to print and reëngrossment as amended.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 67—An Act to amend an Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire, approved March 10, 1891.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

Senate Bill No. 403—An Act to amend sections five hundred and thirty-one and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Harp, Hoyt, Maher, Mahoney, Mitchell, Orr, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 404—An Act to amend section six hundred and seventy-nine of the Political Code, relating to the duties of the State Board of Examiners.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Everett, Fay, Gesford, Harp, Hart, Maher, Mahoney, Mitchell, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—24.

NOES—Senator Carpenter—1.

Title read and approved.

Senate Bill No. 608—An Act to amend section one of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under section eight, article eleven of the Constitution," approved March 2, 1891.

SUBSTITUTION.

Senator Gesford was granted unanimous consent to withdraw Senate Bill No. 608, and to substitute therefor Senate Bill No. 673.

Senate Bill No. 608 withdrawn, and Senate Bill No. 673 substituted therefor on file.

Senate Bill No. 673—An Act to amend sections eight, nine, twelve, seventeen, forty-eight, and fifty-five of an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Ford, Gesford, Goucher, Hoyt, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Senate Bill No. 338—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Read first time, and ordered on file for second reading.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General, in the name of the people of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Passed on file, in absence of the author.

Senate Bill No. 528—An Act to amend section one hundred and sixty-three of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891.

Passed on file.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Passed on file.

Senate Constitutional Amendment No. 13—To propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 2—Relative to amending the Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article.

Passed on file.

Senate Constitutional Amendment No. 3—To propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

Passed on file.

Senate Constitutional Amendment No. 12—Proposed amendment to article twelve of the Constitution, relative to the election of Railroad Commissioners.

Passed on file.

Senate Constitutional Amendment No. 8—Proposing an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, its powers and duties, and adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares.

Passed on file.

Senate Constitutional Amendment No. 19.—To amend section one of article thirteen of the Constitution.

Passed on file.

SENATE CONSTITUTIONAL AMENDMENT No. 18.

Constitutional amendment to propose to the people of the State an amendment to the Constitution of the State, relative to the Judiciary Department.

Resolved, That the Legislature of the State of California, at its regular session, commencing on the second day of January, one thousand eight hundred and ninety-three, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that section two of article six of the Constitution of said State be amended so as to read as follows:

Section 2. The Supreme Court shall consist of a Chief Justice, six Associate Justices, and five Commissioners of Appeals. The Court may sit in departments and in bank, and shall always be open for the transaction of business. There shall be two departments, denominated, respectively, Department One and Department Two. The Chief Justice shall assign three of the Associate Justices to each department, and such assignment may be changed by him from time to time. The Associate Justices shall be competent to sit in either department, and may interchange with each other by agreement among themselves, or as ordered by the Chief Justice. Each of the departments shall have the power to hear and determine causes and all questions arising therein, subject to the provisions hereinafter contained in relation to the Court in bank. The presence of three Justices shall be necessary to transact any business in either of the departments, except such as may be done at chambers, and the concurrence of three Justices shall be necessary to pronounce a judgment. The Chief Justice shall apportion the business to the departments, and may, in his discretion, order any cause pending before the Court to be heard and decided by the Court in bank. The order may be made before or after judgment pronounced by a department; but where a cause has been allotted to one of the departments, and a judgment pronounced thereon, the order must be made within thirty days after such judgment, and concurred in by two Associate Justices, and if so made it shall have the effect to vacate and set aside the judgment. Any four Justices may, either before or after judgment by a department, order a case to be heard in bank. If the order be not made within the time above limited the judgment shall be final. No judgment by a department shall become final until the expiration of the period of thirty days aforesaid, unless approved by the Chief Justice, in writing, with the concurrence of two Associate Justices.

The Chief Justice may convene the Court in bank at any time, and shall be the Presiding Justice of the Court when so convened. The concurrence of four Justices present at the argument shall be necessary to pronounce a judgment in bank; but if four Justices, so present, do not concur in a judgment, then all the Justices qualified to sit in the cause shall hear the argument; but to render a judgment the concurrence of the four Judges shall be necessary. In the determination of causes, all decisions of the Court in bank or in departments shall be given in writing, and the grounds of the decision shall be stated. The Chief Justice may sit in either department, and shall preside, when so sitting, but the Justices assigned to each department shall select one

of their number as Presiding Justice. In case of the absence of the Chief Justice from the place at which the Court is held, or his inability to act, the Associate Justices shall select one of their own number to perform the duties and exercise the powers of the Chief Justice during such absence or inability to act. The Commissioners of Appeals shall constitute a department, to be called Commissioners' Department of the Supreme Court. They shall be appointed by the Court, and shall hold office for the term of six years, subject to removal by the Legislature in like manner as Judges may be removed. All vacancies in the Commission shall be filled by the Court. They shall receive the same salary as the Justices of the Supreme Court. The Commissioners' Department shall have jurisdiction and power to hear and determine such appeals and other matters pending in the Supreme Court as may, from time to time, be referred to them by the Court. Such reference may be made by general orders designating certain classes of appeals which shall be submitted to the Commissioners, or by special reference, and such orders may be changed from time to time. The Commissioners shall have the same power and jurisdiction over matters referred to them which the Supreme Court has in like cases. Writs of habeas corpus may be made returnable before the Commissioners by the Supreme Court, by the Chief Justice, or any Justice thereof. The concurrence of three Commissioners shall be necessary to render a judgment or make an order. The Commissioners shall not be deemed a part of the Supreme Court for any other purpose than the disposition of the business referred to the Commissioners' Department thereof. The Clerk of the Supreme Court shall be Clerk of the Commissioners' Department.

The roll was called, and Senate Constitutional Amendment No. 18 adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Hoyt, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

SECOND READING OF BILLS.

Senate Bill No. 104—An Act to amend sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, and one thousand six hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and three, relating to the election of School Trustees.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquests held over the bodies of convicts who have died within said prison.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 328—An Act to amend section two thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 726—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Read second time, and ordered to engrossment and to a third reading.

FIRST READING OF BILLS.

Senate Bill No. 56—An Act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery.

Read first time, and placed on file for second reading.

Senate Bill No. 599—An Act providing for primary elections in the State.

The following committee substitute was submitted:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 599.

An Act providing for primary elections in this State.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The committee or body authorized by the rules or customs of a political party to call primary elections of or for said party within any county, city and county, city, or town, shall, upon the filing with the President or Secretary of such committee a written petition signed by at least fifty electors, members of such party, cause the Secretary of such committee to give notice (in ample time to carry into effect the provisions of this Act), by publication, in one or more newspapers of general circulation in such county, city and county, city, or town, or by posters posted in conspicuous places therein. Said publication or posting shall give notice to all members of such party that those who desire the nomination of such party for the various offices to be filled at the forthcoming election, including candidates for the County Central Committee or delegates to conventions, shall present their names to the Secretary, together with the necessary fee, as fixed by said committee, not later than a certain day to be fixed by said committee, designating the office for which said person desires the nomination, or for the position of committeeman or delegate. After the expiration of the day so fixed, the Secretary shall cause to be printed a ballot, of uniform size, kind, and quality, containing the names of the various candidates arranged alphabetically, under the designation of the various offices for which they are respectively candidates, indicating therein the number of candidates to be voted for opposite the title of each office mentioned. All tickets shall be numbered consecutively, and the number shall correspond with the number on the stub, which shall be attached to said ballot. All ballots shall be bound in stub books of such number as may be directed, suitable for the district for which it is to be used. The committee may make such further provisions relating to said ballots as may be deemed advisable; *providing always*, that each ballot shall contain the number of the ticket, and a place for the elector voting the same to write his name in. The name of the elector shall be written on the ticket by the elector himself, and shall be his signature, and any person who shall willfully sign a name of any elector other than his own on any such ticket shall be guilty of forgery, and on conviction thereof shall be subject to the penalty provided therefor; and the ticket shall be so arranged and folded that it will display the name of the person voting the same, and the number of the ticket, and not its contents, and so that portion of the ticket containing name and number may be removed from the ticket without defacing the ticket.

SEC. 2. The Secretary shall then cause to be mailed, postpaid, not later than a certain day, to be fixed by said committee, to each member of such party whose name appears on the list of such party, and also on the last printed Great Register, and none others, one of these tickets, and shall write on the stub of such ticket, which shall be by him retained, the name of the person to whom said ticket has been mailed or presented personally. Any member of the party to whom a ticket has not been mailed or given may apply in person for, and receive, personally and not otherwise, his ticket from the Secretary, or he may apply through the mail therefor, when the same must be sent to him through the mail. The envelope inclosing said ticket shall be addressed to the person at the Post Office address as indicated in such Great Register, or to the address as changed under the provisions of section twelve hereof. Ample time shall be given, after mailing the ballot by the Secretary, to enable the elector to receive, mark, and remail the same to the Secretary or Assistant Secretary, as herein provided.

SEC. 3. In any city, or county, or city and county, or town, where, in the judgment of the County Committee, the number of electors are too numerous to be included in one district for the convenient canvassing of such ballots when returned, the said committee shall divide said city, city and county, or county into different districts, and to that end may adopt Assembly or Senatorial districts, or adopt other subdivisions, as they deem advisable. Within each of such districts shall be appointed an Assistant Secretary, and a room or place therein shall be designated as the place where all ballots for such district shall be received and canvassed; and all envelopes inclosing ballots sent from the Secretary shall contain, in addition to the ballot, a postpaid envelope, properly addressed to the Secretary or the Assistant Secretary of the district where such person so addressed

resides, in which envelope the elector is to inclose his ballot after the same has been marked. All envelopes used in returning ballots shall be made of such color and material, and so addressed, that they may be plainly distinguished from all other letters in order that the United States postal authorities may be able to comply with all directions relating thereto; and the words "Ballot Envelope" shall be written or printed on such envelope.

SEC. 4. On each ballot shall be plainly printed a notice, giving the latest date (which date shall be fixed by the Central Committee) at which any ballot can be deposited in the United States mail, and the date shall be fixed so that each elector shall have a reasonable time, after the receipt of his ballot, in which to mark and mail it to the Secretary. And it shall be the duty of the Secretary to see that all members of the party whose names appear on the party list, and on the last printed Great Register, receive tickets personally or through the mail within the time fixed by said committee. Every ballot shall have a space to the right of every name placed thereon, in which to make a cross (X), which shall indicate that the person writing the same, in ink or with a pencil, votes for the person whose name is opposite to said cross (X) or mark so made. In case of loss or destruction of such ticket, the elector may apply to the Secretary for a new ticket, and the Secretary shall cancel the number on the stub of the ticket so lost or destroyed, and place over the number so erased the number of the new ballot. The Secretary must require an affidavit of the facts of the loss or destruction of such ballot before issuing the new one. Any false representations made to obtain a new ballot shall be a felony.

SEC. 5. The Central Committee shall fix the time when the ballots shall be removed from the Post Office or delivered by the postal authorities, and shall fix the place to which the ballots shall be taken to be opened and canvassed. The call for the primary election must contain the time and place, as aforesaid.

SEC. 6. No room or place shall be designated as the place for the reception and canvassing of such ballot unless the same is of such capacity that a reasonable number of persons may be accommodated therein (in such a way that the ballot-box shall be in their open view), and each candidate whose name appears on said ballots shall be entitled to at least one representative bystander in every room in which ballots are being received and canvassed, to the exclusion of all persons, excepting the Secretary and Inspectors, two of whom shall be appointed by the committee to act, without pay; *provided, however*, that a two-thirds majority of all the local candidates of the county may designate the Inspectors, who shall have charge over and supervision in receiving and canvassing said ballots, in conjunction with the Secretary or Assistant Secretary, during the time ballots are being received and canvassed, and shall, together with the Secretary or Assistant Secretary, constitute the Primary Election Board.

SEC. 7. In all places where there exists a free United States postal delivery system, said Secretary shall direct the postal authorities when to deliver all letters containing ballots, and inclosed in envelopes marked "Ballot Envelope," and the time so fixed shall be on the day fixed for canvassing ballots, and immediately before the hour for opening and canvassing the same. The Secretary shall make the necessary arrangements with the United States postal authorities for the retention in the Post Office of such letters until the time fixed for their delivery; *provided, however*, that in any case the postal authorities are unable to comply with the provisions of this section, then the provisions of section eight of this Act shall be followed.

SEC. 8. In sparsely settled districts, or where there is no postal delivery, or when the postal authorities are unable to carry out the provisions in section seven of this Act, the Central Committee must provide a box at the Post Office, which box must be locked and sealed in such manner that the envelopes containing ballots may be placed therein, but cannot be removed therefrom without breaking the seal, and direct that all letters containing ballots, as aforesaid, shall be placed therein, and retained until the time fixed for opening and canvassing said ballots, when the box containing said ballots may be received by the Secretary or Assistant Secretary from the Post Office, in the presence of the bystanders and candidates, or representatives of candidates, and taken immediately to the place fixed for opening and canvassing the said ballots. If the postal authorities refuse to permit a box into which these marked envelopes have been deposited by the postal authorities as they are received at the Post Office to be removed from the Post Office, then the Secretary shall provide another box into which he shall direct the postal authorities to place all such letters. And it shall be a felony to willfully remove any of said ballots from the Post Office at any time before the time fixed for their removal.

SEC. 9. After the reception of the box containing such ballots at the place fixed to canvass the same, the Election Board shall cause the ballot-box to be opened in public, and in the presence of the bystanders. The letters containing the ballots shall then be taken out and counted, and shall thereafter be opened, but not the ballot therein contained, and the Secretary shall check off the names on the Great Register, as they are read from the ballot, and mark them "voted" as they are opened; *provided*, the signature of the ballot agrees with the name on the stub from which the ticket was taken; if it does not, the ballot shall be rejected. The name and number shall thereupon be removed from the ballot, the ballot being so arranged that this can be done, and the ballot shall then be replaced in the ballot-box. After the ballots are all returned to the ballot-box, the names and numbers having been removed therefrom, the Election Board must then proceed to take the ballots out of the ballot-box one at a time, and to open and canvass the ballots publicly, one by one, in the presence of the bystanders, and announce the result of the same, openly and aloud, keeping a tally list thereof.

SEC. 10. The ballots, as soon as all the names marked thereon as voted for are read, and a record thereof made, must be strung on a string by one of the Inspectors, and must not thereafter be examined by any person (they may be examined by the Central Committee, however, in case of contest or recount); but, as soon as all are counted, must be carefully sealed in a strong envelope, and directed to the Secretary of the committee, at the office of the committee, and delivered by the Board to the Secretary, with the tally list, showing fully the result of such canvass, who shall preserve the same. After the election for which said primary election was held, the ballots may be destroyed.

SEC. 11. No person shall be furnished a ticket or be allowed to vote whose name does not appear on the last printed Great Register.

SEC. 12. Any elector who has changed his Post Office address or residence since the Great Register was printed, may apply in person or by letter to the Secretary of his party, and have the address and residence changed to accord with such change, at any time before the day for mailing the ballots to the electors, but not afterwards.

SEC. 13. To enable the Secretary to properly classify the electors, with reference to the party to which they may belong, the committeeman from each ward or precinct, together with such members of the party as may be designated by the Central Committee, shall make out a list of all electors residing in his or their ward or precinct, belonging to their party. The names of such electors thus classified shall be placed on said list, giving the Great Register number and residence of each person. All persons whose names appear on such enrollment or list shall be considered a member of such party, and entitled to tickets and all notices emanating from the Secretary as herein provided for. To assist the Secretary in making such lists, all electors are hereby directed to notify the Secretary of the party to which he may belong. Any elector whose name is not on said list, and who failed to so notify the Secretary before the expiration of the time for sending ballots to electors, shall not complain that no ballot was sent to him; and any elector, knowingly and willfully causing his name to be put on the list of more than one political party, shall be guilty of a felony. Every elector may challenge the name of any person on said list, by making affidavit that, according to his best information and belief, the person challenged belongs to a political party different from that on the list of which his name appears. Upon filing said affidavit with the Secretary, the Secretary shall give notice to said elector thus challenged, that he must, within ten days from the date of the service on him of said notice, file an affidavit that he does belong to the party on whose list his name appears, and that his name does not appear on the list of any other party. If, within ten days after the service of said notice, said affidavit is not filed, his name will be erased from the said list.

SEC. 14. Any elector who shall vote under the provisions of this Act more than one ticket, or shall forward to the Secretary of more than one political party a ballot, or shall falsely represent himself to be any person different than himself to enable him to vote, or shall attempt to do so at any primary election, shall be guilty of a felony, and on conviction thereof shall be punished by imprisonment in the penitentiary not less than one nor more than five years, and shall thereafter be disfranchised and disqualified from holding any office under the laws of this State.

SEC. 15. The Secretary of any political party shall, on demand, furnish to the Secretary of any other political party a true copy of the list of all electors belonging to the party which he represents, as they appear on the list of said party, and if it should appear that the name of any elector appears on more than one list as belonging to more than one party, it shall be the duty of the Secretary of each party on whose list such name appears to erase the same, and to forthwith notify such elector that his name has been removed from the list and placed as doubtful; and, to enable him to be placed on any list, he shall be required to make affidavit, clearly showing the party to which he does belong, and his name shall not be placed on any list unless such affidavit is so furnished. The Secretary or Assistant Secretary of any party who shall willfully refuse to place on said list any name when directed so to do by the provisions of this Act, or who shall erase, remove, or cancel any name, or who shall fraudulently place any name on said list not entitled to be placed thereon, or shall in any manner fraudulently doctor up or change said list, or who shall willfully refuse to furnish any ballot to any one entitled thereto, shall be guilty of a felony, and shall be punished by imprisonment in the State Prison not less than one nor more than five years. The Secretary or any Assistant Secretary may be removed and a new one appointed at any time by the Central Committee.

SEC. 16. Every elector shall have the privilege of having his name erased from the list of any party at any time he may desire, and of having it placed on the list of any other party; and the Secretary of the party on whose list such elector's name appears, shall, on demand of such elector, furnish him with a certificate that his name has been canceled on said list; *provided, however*, the party on whose list he may desire to have his name placed may require him to subscribe and swear to such test as may be provided by the Central Committee of the party on whose list he may desire to place his name.

SEC. 17. It shall be a felony to counterfeit or fraudulently publish, print, circulate, or use any ballot or envelopes, as provided herein.

SEC. 18. The Central Committeemen of any political party, elected as herein provided, shall be called together by the Chairman of the committee under which the primary election was held, immediately after the canvassing of the vote. When so assembled the committee shall be and constitute a party convention, with all the powers and duties appertaining to conventions, and also all rights, powers, and privileges, as provided by

the laws of this State. Said convention shall certify as its candidates for office those persons elected under the primary law hereby established, and shall be and constitute a convention for all the purposes mentioned in and required by the provisions of section one thousand one hundred and eighty-seven of the Political Code of this State.

SEC. 19. Any public question may be submitted to the party voters upon said ballots, or a primary election may be called exclusively for the submission of questions of public or party interest at any time, according to the provisions of this Act.

SEC. 20. The President, Secretary, and Assistant Secretaries of any political party, and all Inspectors while acting as such, shall be and they are hereby authorized to administer oaths in any and all cases where, by the provisions of this Act, an oath may be administered or is required.

SEC. 21. Any person found guilty of violating any of the provisions of this Act, in any Court of competent jurisdiction, shall, in addition to the penalty provided therefor, be removed from any office which he may then hold, and shall thereafter be disfranchised and forever debarred from holding any office of honor or profit under the laws of this State.

Committee Substitute for Senate Bill No. 599 adopted.

Bill read second time, ordered to print and engrossment, and on file for third reading.

SENATE JOINT RESOLUTION No. 24.

Joint resolution relative to the free coinage of silver.

WHEREAS, We recognize constantly the indisputable fact that upon the continued development and working of the silver mines of California and other Pacific Coast States the prosperity and progress of those States largely depend, and that in the depreciation of the value of that metal, by refusing it a proper place in the coinage system of the United States, a vital blow is being struck at all the interests of the Pacific States; and whereas, it is also recognized as a fact that the opposition to the silver product emanates from a class who, for the advancement of their own selfish ends, seek not only to destroy one of the great industries of this section of the country, but also to embarrass and oppress the people of other parts of the nation; and whereas, it is a demand that we cannot fail to regard that the paramount interests of the laborers of the United States require the free and unlimited coinage of American silver; and whereas, it is known that the attempt now being made to stop the further purchase of silver and to repeal the laws authorizing the same is solely in behalf of the gold bugs of Wall Street, and is opposed to the true interests of the great majority of the people, and is an effort to aid the rich and wealthy banking corporations at the expense of the general mass of the people; and whereas, we fully believe that the firm and positive determination of the Government of the United States to restore silver to its former and proper place would at once result in the accomplishment of the purpose, and that the governments of other countries will be obliged to pursue the same course whenever it is known that our Government insists upon the free and unlimited coinage of silver, and in the event that such a result should not follow, we still have entire confidence in the power and ability of this nation to carry, unaided, the restoration of silver to its proper place alongside of gold; therefore,

Resolved, That our Senators and Representatives in the Congress of the United States be and they are hereby instructed to oppose at all stages each and every attempt to repeal the law commonly known as the "Sherman Act" of eighteen hundred and ninety, providing for the purchase of silver; and

Resolved, further, That our Senators and Representatives be and they are also instructed to advocate and vote for any and all measures providing for the free and unlimited coinage of American silver by the United States Government.

The roll was called, and Senate Joint Resolution No. 24 adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Earl, Fay, Flint, Harp, Hart, Hoyt, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Streater, Voorheis, and Wilson—24.

NOES—Messrs. Campbell, Orr, Whitehurst, and Williams—4.

RESOLUTION.

Senator Voorheis offered the following resolution, and moved its adoption:

Resolved, That Senate Bills Nos. 775 and 776 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that

section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills shall be read the first, second, and third times, and placed upon their passage.

The roll was called, and Senate Bills Nos. 775 and 776 declared cases of urgency by the following vote:

AYES—MESSRS. Berry, Burke, Campbell, Carpenter, Denison, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

CASES OF URGENCY.

Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—MESSRS. Berry, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—MESSRS. Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

Title read and approved.

At eleven o'clock and fifty-nine minutes A. M. Senator Ostrom moved to adjourn.

POINT OF ORDER.

Pending roll call, Senator Orr raised a point of order that the hour of twelve o'clock having arrived the Senate was at recess.

The President declared the point of order well taken.

RECESS.

Whereupon, at twelve o'clock M., the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

SPECIAL ORDER.

Reconsideration of vote whereby Senate Bill No. 323 was passed on February 20, 1893.

Pending debate on the above special order, Senator Carpenter moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that Senators Goucher, Orr, and Wilson were absent without leave.

MOTIONS.

Senator Ostrom moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion carried by following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Flint, Ford, Harp, Hoyt, Maher, Martin, Mitchell, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—23.

NOES—Messrs. Burke, Everett, Fay, and Ragsdale—4.

The Sergeant-at-Arms was directed to open the doors.

The question then being on the reconsideration of the vote whereby Senate Bill No. 323 was passed.

The roll was called, and the same reconsidered by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Martin, Orr, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—27.

NOES—Messrs. Berry, Broderick, Dunn, Mitchell, Ostrom, and Ragsdale—6.

Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband.

On motion of Senator Orr, the final action on Senate Bill No. 323 was made a special order for Tuesday next, immediately after reading the Journal.

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

Senator Hart moved that the further consideration of Assembly Bill

No. 138 be postponed and made a special order for Tuesday next, immediately after reading the Journal.

The roll was called, with the following result:

AYES—Messrs. Berry, Mahoney, Martin, Mitchell, Ostrom, and Seawell—6.

NOES—Messrs. Biggy, Broderick, Campbell, Denison, Earl, Fay, Flint, Gesford, Seymour, Simpson, Streeter, Whitehurst, and Williams—13.

RECESS.

Whereupon, the President declared that as it appeared from the roll call that no quorum was present and voting, he thereupon, at one o'clock and fifty-five minutes P. M., declared a recess for five minutes.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President J. B. Reddick in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Raggsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly reengrossed: Senate Committee Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Committee Substitute for Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

Also: Senate Concurrent Resolution No. 7—Approving the charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town at a special election held therein for that purpose on February 28, 1893.

Also: Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.

Also: Committee Substitute for Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities, and towns, and cities and counties having a population of five thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Also: Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Also: Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

RAGSDALE, Chairman.

SPECIAL ORDER—(RESUMED).

Assembly Bill No. 138—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending section seventeen thereof.

MOTION.

On motion of Senator Seymour, Assembly Bill No. 138 was made a special order for Tuesday next at one o'clock and thirty minutes P. M.

The hour of two o'clock having arrived, the consideration of Assembly Bills by joint rules set for this hour was proceeded with.

SPECIAL ASSEMBLY FILE.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

MOTION.

Senator Earl moved that Senate Substitute for Assembly Bill No. 10 be referred to Senator McGowan, as a special committee of one, with instructions to amend the same as follows:

Amend by striking out of section one, line eleven, the word "the" before word "year," last word in said line, and inserting the following in place thereof: "such."

Also: Amend by striking out of section one, line twelve, the words "in which such reassessment may be made," and inserting the following: "as to which such reassessment is made."

So ordered.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Committee Substitute for Assembly Bill No. 10, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

McGOWAN, Committee.

The roll was called, and the report of special committee of one and the amendments were refused adoption by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Dunn, Earl, Fay, Gesford, Hoyt, McGowan, Martin, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—15.

NOES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams—21.

MOTION.

Senator Burke moved that the further consideration of Senate Substitute for Assembly Bill No. 10 be postponed and made a special order for Monday next at three o'clock and thirty minutes P. M.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Biggy, Burke, Dunn, Earl, Gesford, Hoyt, McGowan, Martin, Mitchell, Ostrom, Seawell, and Whitehurst—12.

NOES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—23.

CALL OF THE SENATE.

Senator Seawell moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

MOTION.

Senator Voorheis moved that further proceedings under the call of the Senate be dispensed with.

On demand the roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—22.

NOES—Messrs. Arms, Biggy, Burke, Dunn, Earl, Gesford, Hoyt, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—12.

The Sergeant-at-Arms was directed to open the doors of the Senate.

At two o'clock and twenty minutes p. m. Senator Arms moved to adjourn.

On demand the roll was called, and the motion lost by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Dunn, Gesford, Martin, Mitchell, and Ostrom—8.

NOES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—27.

MOTION.

Senator Burke moved that Senate Substitute for Assembly Bill No. 10 be referred to Senator Earl, as a special committee of one, with instructions to amend the same as follows:

Substitute the following for Senate Committee Substitute for Assembly Bill No. 10, to wit:

An Act in relation to reassessment of property and the equalization of the same in cases where a former assessment is invalid or void, and in relation to levy and collection of taxes on said reassessments.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every assessment of property made after the year one thousand eight hundred and eighty-two which is invalid, or may hereafter be adjudged to be, by reason of any illegality, invalidity, or irregularity declared or existing in the assessment of such property, or in the mode provided for the assessment thereof, shall be remade and the property reassessed and equalized for each year for which such assessment is invalid

as aforesaid, and for the year for which the assessment of such property was invalid as aforesaid, and such reassessment and equalization shall be made by the same officers and Boards, at the same time or times, as is now prescribed by law for the assessment and equalization of property, of the same classes or kinds as the property which hereby is required to be reassessed. The assessment and equalized assessment of such property shall be entered on the several assessment rolls or books in the same manner that assessments of such property are required by law to be entered for the year or years during which such reassessments shall be made. And there is hereby levied for State purposes the same rates of taxation for each of such respective years as were heretofore levied upon such property for each of said years for said State purposes.

SEC. 2. All taxes for county, cities and counties, and lesser taxing districts, shall be levied by the proper Board or Boards upon the property mentioned in the first section of this Act, at the same rates at which they were levied upon property for each of said years, after the year eighteen hundred and seventy-nine.

SEC. 3. All property authorized to be reassessed by this Act shall be reassessed and equalized by proper officers and Boards at the value and upon the estate and to the person or corporation to whom or to which such property ought, for each of such years, to have been assessed, under such rules of notice and at the times and in the modes as are prescribed for the assessment and equalization of like classes of property; and the assessment and equalization thereof, and the levy and collection of taxes thereunder, shall be made by the proper officers at the time, upon like notice and in the manner now or hereafter provided by law for making assessments and equalizing the same, and for the levy and collection of taxes on like classes of property, and if the taxes so relieved shall become delinquent, there shall be added thereto and the amount thereof the same percentage as a penalty for such delinquency as is added to other delinquent taxes on like classes of property, and such delinquent taxes and penalties added thereto shall be collected by the proper officers in the manner now or hereafter provided by law for the collection of delinquent taxes and penalties upon like classes of property; the collectors of such taxes to allow, as credits thereon, all payments heretofore made on the tax as first levied.

SEC. 4. There shall be no limitations as to the time in which actions for the collections of taxes levied under this Act may be commenced, and all the provisions of law, now or hereafter provided in respect to assessments, equalization, levy, and collection of taxes, shall, where applicable, apply to reassessments, equalization, and relieves and collections of taxes made under the provisions of this Act.

SEC. 5. This Act shall apply to taxes only, and not to assessments for local improvements or street purposes.

SEC. 6. This Act shall take effect and be in force from and after its passage.

So ordered.

REPORT OF* SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Committee Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, etc.—with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

EARL, Committee.

PREVIOUS QUESTION.

On motion of Senator Goucher, the previous question was ordered.

The question then being on the adoption of the report of the special committee of one and amendment.

The roll was called, and the report and amendment refused adoption by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Dunn, Earl, Gesford, Hoyt, McGowan, Martin, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—14.

NOES—Messrs. Berry, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—21.

PREVIOUS QUESTION.

Senator Carpenter then moved the previous main question.

The question was then, as stated by the President, "Shall the main question be now put?"

The roll was called, and the main question ordered by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—25.

NOES—Messrs. Arms, Biggy, Burke, Dunn, McGowan, Mitchell, Ostrom, and Whitehurst—8.

CALL OF THE SENATE.

Senator Ostrom moved a call of the Senate.

The roll call on the question, "Shall there be a call of the Senate?" was demanded.

The roll was called, and a call of the Senate refused by the following vote:

AYES—Messrs. Arms, Biggy, Dunn, Earl, Gesford, Hoyt, Mitchell, Whitehurst, and Wilson—9.

NOES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Ostrom, Seymour, Streeter, Voorheis, and Williams—20.

FINAL PASSAGE OF BILL.

Senate Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment, made since 1882, is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

Was then read a third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—25.

NOES—Messrs. Arms, Biggy, Burke, Dunn, Gesford, McAllister, McGowan, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—12.

Title read and approved.

EXPLANATIONS.

Senator Earl gave the following explanation of his vote:

MR. PRESIDENT: I wish to explain my vote: I have tendered amendments to this bill which would require the reassessments to be made at the rate of the tax levy of each particular year as to which reassessment is made. Now, sir, I have failed in my attempt; I believe the people demand a reassessment bill pass this Legislature. This bill reassesses since 1882. It contains no waiver as to previous years. The next Legislature may pass an Act to reassess for any previous year. Now, sir, I am satisfied the bill before the Senate is the only bill possible to be passed by this Senate. I bow to the majority, and not without protest. I vote "Aye."

Senator McGowan gave the following explanation of his vote:

I vote "No" because I believe that the amount to be collected by such bill would not be the amount now due for taxes; that the amount to be collected by such bill is less than the amount now justly due the people of the State.

Senator Seawell gave the following explanation of his vote:

I vote "No" on the question of the final passage of Senate Committee Substitute for Assembly Bill No. 10 for the following reasons:

First—Because it is a compromise measure; in its terms, unfair and unjust to the people, and, under its provisions, about two thirds of the taxes actually due from delin-

quent railroads since the year 1879, exclusive of penalties, costs, interest, and attorneys' fees, is remitted and absolutely released, and because I believe that the Legislature should not—even if its right to do so be unquestioned—remit any portion of an obligation owing by any person or corporation growing out of the exercise by the State of the power of taxation.

Second—That it provides that the taxes levied thereunder shall be collected by local tax collectors instead of being paid to the State Treasurer at the Capitol, as all other taxes due upon the railroads affected by this bill are required to be paid by section three thousand six hundred and sixty-eight of the Political Code; and further, that such legislation is special, and within the constitutional inhibition contained in subdivision ten of section twenty-five of article two of the Constitution.

Third—That it extends the time of payment of certain taxes levied thereunder, which are made to depend upon the happening of certain contingencies involved in actions now pending in the Courts of this State, and therein is contrary to subdivision thirteen of section twenty-five of article four of the Constitution.

Fourth—That if the judgments in the actions for the taxes of the year 1887 should be renewed upon any technicality, however short of reaching to the merits of the case it might be, the provisions of this bill, if enacted into law, would be invoked to prevent the State from asserting its right to a new trial and to a decision and judgment upon the merits of the case.

Fifth—That its provisions for the enforcement of the collection of the taxes levied are indefinite and conflicting.

Sixth—That the case of the People vs. The San Pablo and Tulare Railroad Company is not covered by the reservations as to other pending actions, and this failure to cover the San Pablo case will be taken advantage of by the railroad companies to prevent a determination of that case.

Seventh—That it attempts to regulate the practice of Courts of Justice by suspending certain actions in the Courts of the State, and such attempted regulation is limited and special in its nature and operation, and contrary to subdivision three of section twenty-five, article four of the Constitution.

Eighth—That it levies the tax at the rates to be fixed for the year 1893 instead of at the rates levied for the years for which the delinquency exists, thus enabling these delinquent railroads to profit by their own wrong, in refusing to pay their taxes when the same were due. This will result from placing the values reassessed into the total value of all property upon which the rate of 1893 will be based; thus the very delinquency of this property will be used to lessen the amount of taxes which will be charged upon it, taxes upon all classes of property paid according to the rates of 1885, 1886, and 1887, and I believe that this property should be levied upon at the same rates.

MOTION.

At three o'clock and fifteen minutes p. m. Senator Voorheis moved to adjourn.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Goucher, Harp, Hart, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—22.

NOES—Messrs. Burke, Giesford, Hoyt, McGowan, Ostrom, Seawell, and Whitehurst—7.

ADJOURNMENT.

Whereupon, at three o'clock and seventeen minutes p. m., the President declared the Senate adjourned until Monday next at two o'clock p. m.

IN SENATE.

SENATE CHAMBER,
Monday, March 6, 1893. }

The Senate met pursuant to adjournment, at two o'clock P. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Broderick.

LEAVE OF ABSENCE.

Senator Gesford was granted a leave of absence for the day, on motion of Senator Mathews.

CORRECTION TO JOURNAL.

Senator Burke moved to correct the Journal of the Senate of Saturday, March 4, 1893, by striking his name out of the list of those voting "aye" on Senate Substitute for Assembly Bill No. 10 (page 19 of the Journal of that day), and inserting his name with the members who voted "no" on said bill.

So ordered.

The hour of two o'clock having arrived, the consideration of Assembly Bills by joint rules set for that hour was proceeded with.

SPECIAL ASSEMBLY FILE.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Passed on file, on motion of Senator Burke.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

FIRST READING OF BILL.

Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Read first time, and placed on file for second reading.

FINAL PASSAGE OF BILL.

Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places, within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Dunn, Everett, Fay, Flint, Ford, Hoyt, McAllister, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Read second time.

Senator Bailey moved to amend, as follows:

Provided, It shall be lawful for coöperative building and loan associations incorporated under the laws of this State, which loan their money to their shareholders only, and only in proportion to the amount of stock held by such shareholders, such proportion not to exceed the par value of the stock on which the loan is made, to make loans to such shareholder or shareholders as shall offer the highest premium of any nature for such loan, and the giving and receiving of such premium; and the imposition and payment of fines for non-payment of dues shall not be regarded as contrary to this statute and the laws of this State in regard to the rate of interest on money.

Adopted.

MOTION.

Senator Whitehurst moved to strike out the enacting clause.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Hoyt, McAllister, McGowan, Mahoney, Mathews, Orr, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Williams—22.

NOES—Messrs. Biggy, Burke, Harp, Martin, Ostrom, Voorheis, and Wilson—7.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Read second time, and ordered to a third reading.

Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file, on motion of Senator Carpenter.

Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Passed on file, on motion of Senator Burke.

Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Read second time.

MOTION.

Senator Simpson moved to strike out the enacting clause.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Carpenter, Ostrom, Ragsdale, Simpson, and Wilson—6.
NOES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Earl, Everett, Fay, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, and Williams—23.

Assembly Bill No. 277 was then ordered to a third reading.

Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of coöperative associations.

During the second reading, Senator Burke moved to refer the bill to the Committee on Corporations.

So ordered.

Senator Maher moved that the vote whereby Assembly Bill No. 193 was referred to Committee on Corporations be reconsidered.

Motion carried.

Assembly Bill No. 193 read second time, and ordered on file for third reading.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and sixteen, and three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three

thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read second time, and on motion of Senator Orr, referred to Committee on Finance, to retain its place on file.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Referred to Committee on Corporations, on motion of Senator Mahoney.

Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Read second time, and ordered to a third reading.

Substitute for Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Read second time, and ordered to a third reading.

Assembly Bill No. 847—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor, approved March 19, 1889.

Read second time, and ordered to third reading.

Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Read second time, and ordered to a third reading.

Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Read second time, and ordered to a third reading.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Senator McAllister moved to refer the bill to the Committee on Corporations.

Lost.

Assembly Bill No. 18 read second time, and ordered to a third reading.

Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reëntry upon real property.

Read second time, and ordered to a third reading.

FIRST READING OF BILLS.

Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police, and police officers, in cities in the State of California containing not less than ten thousand and not exceeding twenty-five thousand inhabitants.

Read first time, and ordered on file for second reading.

Assembly Concurrent Resolution No. 19—Relative to extending congratulations to the Hon. A. Caminetti, Representative in Congress, upon the successful enactment of the bill, commonly known as the Caminetti Bill, concerning mining and river interests in the State of California.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Everett, Fay, Flint, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seawell, Streeter, Voorheis, Whitehurst, Williams, and Wilson—24.
NOES—None.

Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor.

Passed on file.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read first time, and placed on file for second reading.

Assembly Constitutional Amendment No. 29—Proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Passed on file.

Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Read first time, and placed on file for second reading.

SECOND READING OF BILL.

Assembly Bill No. 284—An Act for the relief of George Dougherty.

Read second time, and ordered to a third reading.

PETITIONS AND PROTESTS.

Senator Voorheis presented the following protest from his district, and requested that it be printed in the Journal.

So ordered.

PROTEST.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good, and not compelled to espouse evil. Sutter and Lake Counties, and fifty towns, refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

Signed by Mrs. E. J. Towns and one hundred and twenty-five others.

Also: By Senator Campbell, in language preceding, a protest signed by Mrs. J. Churchill, President of the Woman's Christian Temperance Union, and sixty-four others.

Also: In language preceding, a protest signed by Thomas Patton and sixty-nine others.

Also: By Senator Flint, in language preceding, a protest signed by J. G. Armstrong and fifty-five others.

Also: By Senator Whitehurst, in language preceding, a protest signed by S. H. Cloud and forty others.

Also: By Senator McGowan, in language preceding, a protest signed by I. Cullberg and fourteen others.

Also: By Senator Ostrom, the following protest:

MARYSVILLE, CALIFORNIA, March 3, 1893.

To the honorable body of Legislators, in and for the State of California:

We, the ladies of the Woman's Christian Temperance Union of Marysville, Yuba County, do hereby enter sincere protest against Senate Bill No. 622, entitled "The Uniform License Bill," introduced by Senator Everett of San Francisco, and earnestly request you to bring this protest before your body.

Yours in the cause of good morals,

MRS. MARY A. MEEK.

MRS. L. HANSEN, Secretary.

WOMAN'S TEMPERANCE UNION,
Of Marysville.

Senator Ford asked unanimous consent to withdraw Senate Concurrent Resolution No. 7, relative to approval of charter of the town of Grass Valley, and to introduce in lieu thereof Senate Concurrent Resolution No. 11, relative to the same matter.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

On motion of Senator Voorheis, Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor—was read first time, and placed on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 723—An Act making an appropriation to pay deficiencies in appropriations for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Also: Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution.

By Senator McGowan:

Resolved, That the Superintendent of State Printing be and he is hereby directed to have prepared and printed, immediately after the adjournment of the thirtieth session of the Legislature *sine die*, an index to all bills, joint and concurrent resolutions, and constitutional amendments introduced in the Senate during the present session, the index to be alphabetically arranged by authors and topics on a plan similar to the one followed in the "Index to bills introduced during the twenty-seventh, twenty-eighth, and twenty-ninth sessions," and to be printed on paper similar in size and quality to that for printing Senate Bills. Four hundred and eighty copies of said index shall be printed, and one copy shall be mailed to each member of the Senate and Assembly. The sum of one hundred and twenty-five dollars is hereby directed to be paid to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Senate, for the compilation of and postage on the aforesaid index, and the Controller of State is hereby directed to draw his warrant for said sum, payable to the Superintendent of State Printing, out of the appropriation for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Ford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Secretary of the Senate is hereby authorized and directed to send a copy of every law, as soon as approved by the Governor, to each District Attorney and Judge of the Superior Court in this State, and the sum of fifty dollars is hereby appropriated out of the funds for the contingent expenses of the Senate for such purpose, and the Controller is hereby directed to draw his warrant for such sum on said fund in favor of said Secretary of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Broderick, Campbell, Carpenter, Denison, Everett, Fay, Flint, Ford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—None.

REPORT OF SELECT COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your select committee on memorial services, in commemoration of the death of Hon. James G. Blaine, respectfully report that the following debts, and none other, were incurred in carrying out said services, to wit:

| | |
|--------------------------------------|----------|
| Carriage hire | \$5 00 |
| Printing | 16 25 |
| Music | 160 00 |
| Decorating | 25 00 |
| Cleaning Assembly Chamber, etc. | 15 00 |
| Postage, etc. | 10 00 |
| Total | \$231 25 |

In addition to the foregoing, the Sergeant-at-Arms of the Assembly, pursuant to a resolution adopted by that body, contracted for the removal of certain chairs, for which the person contracted with put in a bill for fifty dollars, but the Committee on Public Expenditures and Accounts, in accordance with the recommendation of your special committee, reported in favor of allowing but twenty-five dollars for such removal.

The bills, other than said bill for removing chairs, have all been paid in full by your committee, and receipts given therefor, which said receipts are hereunto attached and made a part of this report.

The person, William McLaughlin, who removed said chairs, refuses to accept less than fifty dollars for his services.

In all other respects your committee has performed all the duties pertaining thereto.

Your committee returns to the Clerk of the Assembly, with this report, the sum of twenty-five dollars, being the sum allowed for payment of the claim of said William McLaughlin. Wherefore, your committee asks that this report, and said sum of twenty-five dollars, be received and accepted by the Assembly, and that the committee be discharged.

MAHER, Chairman.

Report ordered printed in the Journal, and the committee discharged, on motion of Senator Maher.

RESOLUTIONS.

By Senator Voorheis:

Resolved, That all Porters, Sergeants-at-Arms, and Messengers of Senate committees, except the Sergeant-at-Arms and Porter of the Judiciary Committee, and all committee clerks, except the Chief Clerk of the Finance Committee, the clerks of the Judiciary Committee, clerk of Committee on Corporations, and the clerk of the Committee on County Government and Township Organization, be and the same are hereby discharged from this date, March 6, 1893.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Broderick:

Resolved, That the resolution appointing W. H. Rice Assistant Sergeant-at-Arms of the Senate, be amended so as to read as follows:

Resolved, That W. H. Rice be and he is hereby appointed Assistant Clerk to the Sergeant-at-Arms of the Senate, with duties of First Assistant Sergeant-at-Arms, at the same per diem as the Sergeant-at-Arms, to take effect January 2, 1893, the same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrant for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly enrolled: Senate Bill No. 778—An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of Boards of Medical Examiners in the matter of said regulation.

Also: Senate Bill No. 208—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Also: Senate Bill No. 44—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to the violation of the fish laws.

Also: Senate Bill No. 407—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Also: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines from taxation.

Also: Senate Bill No. 206—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Also: Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Also: Senate Bill No. 27—An Act to amend section on thousand four hundred and twenty-six of the Political Code, relating to the appointment of members of the Board of Regents of the University of California.

Also: Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of Trustees of reclamation districts.

Also: Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Also: Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to section seven, article eleven, of the Constitution of the State of California.

RAGSDALE, Chairman.

SUBSTITUTION.

Senator Everett was granted unanimous consent to withdraw Senate Bill No. 528, No. 8 on urgency file (to be considered daily from ten o'clock and thirty minutes A. M. to twelve o'clock M.), and substitute therefor Senate Bill No. 13, No. 393 on urgency file.

The hour of three o'clock and thirty minutes having arrived, the Senate proceeded to the consideration of urgency file, as per Senate rules.

URGENCY FILE—SECOND AND THIRD READING OF BILLS.

Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—Messrs. Burke and Fay—2.

Title read and approved.

Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Passed on file temporarily.

Senate Bill No. 572—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Passed on file, to retain its place, on motion of Senator Maher.

Senate Bill No. 292—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend title by striking out "affinity," and insert in lieu thereof "marriage;" and also amend title by inserting after "consanguinity" the words "within the third degree."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out "affinity," on line five, printed bill, section one, and insert instead "marriage;" also amend by adding after "consanguinity," on said line five, the words "within the third degree."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by adding to section three, line two, printed bill, after the word "accordingly," the words: "*provided*, nothing contained in this Act shall apply to any county or township officer."

Adopted.

Senator Broderick moved to amend, as follows:

By striking out of section one, line three, the word "any," and inserting the following in lieu thereof: "employ not more than one."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 661—An Act to amend section three thousand six hundred and ninety-six of the Political Code, relating to the duties of the State Board of Equalization.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, McAllister, McGowan, Martin, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—None.

Title read and approved.

Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Campbell, Carpenter, Denison, Earl, Everett, Flint, Gesford, Harp, Hoyt, McAllister, Mahoney, Martin, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, Williams, and Wilson—21.

NOES—Messrs. Biggy, Burke, and Ostrom—3.

Title read and approved.

FIRST AND SECOND READING OF BILL.

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first and second times.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line ten of printed bill, the word "shall."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out of section one, line twelve of printed bill, the word "and," and inserting the following: "or."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out of section one, line thirteen of the printed bill, the word "shall," and inserting the following: "will."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend by striking out of section one, lines twenty, twenty-one, twenty-two, twenty-three of the printed bill, the words "unless within four months thereafter there is to be held within the boundaries proposed in said petition a general State or national election, in which case notice shall be given for and the election held at the time of such general election."

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend by striking out of section one, line forty of the printed bill, the word "incorporation," and inserting the following: "corporations."

Adopted.

COMMITTEE AMENDMENT No. 6.

Amend by striking out of section one, line forty of the printed bill, the word "in," and inserting the following: "of."

Adopted.

COMMITTEE AMENDMENT No. 7.

Amend by striking out of section one, line fifty-one of the printed bill, the words "contracted prior to, or existing at the date of such incorporations."

Adopted.

Senate Bill No. 769 ordered to print and engrossment as amended, and on file for third reading.

Senate Bill No. 95—An Act to repeal an Act entitled “An Act to increase the number of Judges of the Superior Court of the county of Los Angeles, State of California, and for the appointment of such additional Judges,” approved March 11, 1889, and to reduce the number of Judges of said county from six to four.

SUBSTITUTION.

Senator Mathews was granted unanimous consent to withdraw Senate Bill No. 95, and to substitute therefor Senate Bill No. 714.

RESOLUTION.

By Senator Mathews:

Resolved, That Senate Bill No. 714 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage (in lieu of Senate Bill No. 95, withdrawn).

The roll was called, and Senate Bill No. 714 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Carpenter, Denison, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—30.

NOES—None.

URGENCY FILE—(RESUMED)—FIRST AND SECOND READING OF BILL.

Senate Bill No. 714—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Whitehurst, and Wilson—26.

NOES—None.

Title read and approved.

SECOND AND THIRD READING OF BILLS.

Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled “An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County,” passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Read second time, considered engrossed, read third time, and finally passed by the following vote.

AYES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Gesford, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—27.

NOES—None.

Title read and approved.

On motion of Senator Ostrom, Senate Bill No. 729 was ordered immediately transmitted to the Assembly.

Senate Bill No. 334—An Act to provide for the working of certain convicts upon the public roads in the State.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Fay, Flint, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Williams—21.

NOES—Messrs. Arms and Carpenter—2.

Title read and approved.

Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Read first and second times.

The following committee amendment was submitted:

AMENDMENT TO SECTION 1.

In first line of section one, printed bill, strike out the word "ten," and insert instead the word "five."

Senator Seawell moved an amendment, as follows:

Amend by striking out of section one, line one, the word "ten," and inserting in lieu thereof the word "six."

The question being first on the adoption of the committee amendment, it being the smaller amount, the same was lost.

The question then being on the adoption of the amendment as offered by Senator Seawell, the same was adopted.

The following committee amendment was also submitted:

AMENDMENT TO SECTION 2.

In section two, line two of printed bill, strike out the word "ten," and insert instead the word "five."

Senator Seawell moved an amendment to the amendment, as follows:

By striking out of section two, line two, the word "ten," and inserting in lieu thereof the word "six."

The question being first on the adoption of the committee amendment, it being the smaller amount, the same was lost.

The question then being on the adoption of the amendment as offered by Senator Seawell, the same was adopted.

Senate Bill No. 606 ordered to print and engrossment as amended, and on file for third reading.

Senate Bill No. 299—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure, relating to eminent domain.

Passed on file.

Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Passed on file.

Senate Bill No. 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Read first and second times.

The following committee amendment was submitted:

Amend by striking out of section one, lines forty-seven and forty-eight of printed bill, the words "and no county license tax shall be imposed on any business licensed by and carried on exclusively in said city."

Adopted.

Bill ordered to print and engrossment as amended, and on file for third reading.

MOTION.

Senator Ford moved that Senate Concurrent Resolution No. 11, relative to approval of the charter of the town of Grass Valley, be made a special order for nine o'clock this evening.

So ordered.

RECESS.

At four o'clock and fifty-eight minutes P. M., on motion of Senator Broderick, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Östrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 149—An Act to amend section two of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880, to enable the Trustees to fix the amount of taxes to be raised therefor, and to provide the manner of levying and collecting the same, to authorize the City Treasurer to pay out the same on order of the Trustees, to fix term of office of Trustees, and to provide the manner of their election, in cities of less than one hundred thousand population.

Also: Senate Bill No. 200—An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the five hundred thousand acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of two dollars per acre in favor of any bona fide owner and holder of any such land warrant for every acre represented by any such land warrant.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof.

Also: Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two, of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Also: Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county known as Clear Lake, together with that portion of the outlet of said lake, situated within the territorial limits of said county, known as Cache Creek.

Also: Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Senate Bill No. 43—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws.

Also: Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Also: Senate Bill No. 156—An Act to amend section one thousand and ninety-four of "An Act to establish a Political Code," approved March 12, 1872, approved March 29, 1889, relating to elections.

Also: Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings, in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

Also: Senate Bill No. 604—An Act to amend section three hundred and thirty-three of the Political Code, relating to the printing of public reports.

RAGSDALE, Chairman.

MOTIONS.

Senator Seawell moved that Senate Bill No. 120 be made a special order for to-morrow, at eleven o'clock and fifty minutes A. M.

So ordered.

Senator Ostrom moved that Senate Bill No. 343 be made a special order for to-morrow, at eleven o'clock and fifty minutes A. M.

So ordered.

GENERAL FILE—THIRD READING OF BILL.

Senate Bill No. 207—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

SUBSTITUTION.

On motion of Senator Orr, the following substitution was ordered:

Substitute Senate Bill No. 701 (No. 72 on file) for Senate Bill No. 207 (No. 28 on file), and read second time.

Senate Bill No. 207 withdrawn.

SECOND READING OF BILL.

Senate Bill No. 701—An Act to create a State Advisory Highway Committee.

Read second time, and ordered to engrossment and to a third reading.

NOTICE OF RECONSIDERATION.

Senator Gesford gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 207 was withdrawn.

Senate Bill No. 398—An Act to amend section two hundred and ninety-three of the Civil Code, relating to railroad, wagon road, and telegraph corporations.

SUBSTITUTION.

Senator McGowan was granted unanimous consent to withdraw Senate Bill No. 398 (No. 29 on file), and to substitute therefor Senate Bill No. 693.

Senate Bill No. 398 withdrawn, and Senate Bill No. 693 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 693—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 397—An Act to amend section two hundred and ninety-one of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations.

SUBSTITUTION.

Senator McGowan was granted unanimous consent to withdraw Senate Bill No. 397 (No. 30 on file), and to substitute therefor Senate Bill No. 543.

Senate Bill No. 397 withdrawn, and Senate Bill No. 543 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 543—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 431—An Act to amend sections nine hundred and fifteen and nine hundred and nineteen, and to repeal sections nine hundred and sixteen, nine hundred and thirty-one, nine hundred and thirty-two, nine hundred and thirty-three, nine hundred and thirty-four, nine hundred and thirty-five, nine hundred and thirty-six, and nine hundred and thirty-seven of an Act entitled "An Act to establish a Penal Code," adopted February 4, 1872, relating to presentments by a Grand Jury.

SUBSTITUTION.

Senator Orr was granted unanimous consent to withdraw Senate Bill No. 431 (No. 31 on file), and to substitute therefor Senate Bill No. 731.

Senate Bill No. 431 withdrawn, and Senate Bill No. 731 substituted therefor on file.

FIRST READING OF BILL.

Senate Bill No. 731—An Act to authorize the appointment of a Commission by the Governor for the purpose of selecting and suggesting a permanent site and location for an additional State Prison.

Read first time, and placed on file for second reading.

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Passed on file temporarily.

THIRD READING OF BILL.

Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of the State.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Campbell, Carpenter, Denison, Fay, Ford, Gesford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—25.

NOES—Senator Orr—1.

Title read and approved.

Senate Bill No. 167—An Act to amend sections two hundred and seventy-five and two hundred and seventy-six of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to the admission of attorneys and counselors at law.

SUBSTITUTION.

Senator McGowan was granted unanimous consent to withdraw Senate Bill No. 167 (No. 34 on file), and to substitute therefor Senate Bill No. 487.

Senate Bill No. 167 withdrawn, and Senate Bill No. 487 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read second time, and ordered to engrossment and to a third reading.

THIRD READING OF BILL.

Senate Bill No. 457—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section three thousand two hundred and forty-five, relating to eight hours being a legal day's work.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

Senate Bill No. 400—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations.

SUBSTITUTION.

Senator Maher was granted unanimous consent to withdraw Senate Bill No. 400 (No. 36 on file), and to substitute therefor Senate Bill No. 66.

Senate Bill No. 400 withdrawn, and Senate Bill No. 66 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Read second time, and ordered to engrossment and to a third reading.

THIRD READING OF BILL.

Senate Bill No. 468—An Act to amend section four hundred and fifty-six of the Civil Code, relating to the powers of railroad corporations to borrow money.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—28.

NOES—Messrs. Everett and Mahoney—2.

Title read and approved.

Senate Bill No. 385—An Act to provide for incorporation, operation, and management of coöperative associations.

Passed on file, at request of Senator McGowan.

LEAVE OF ABSENCE.

On motion of Senator Ragsdale, a leave of absence for the evening was granted Senator Flint.

Senator Seawell, at eight o'clock and fifteen minutes P. M., was granted leave of absence until nine o'clock P. M.

THIRD READING OF BILL.

Senate Bill No. 472—An Act to add a new section to title eleven, chapter one, of part two of the Penal Code of the State of California, to be designated section one thousand four hundred and sixty-two, and relating to the issuance of writs of execution for the purpose of collecting fines imposed in criminal cases.

SUBSTITUTION.

Senator Campbell was granted unanimous consent to withdraw Senate Bill No. 472 (No. 39 on file), and to substitute therefor Senate Bill No. 644.

Senate Bill No. 472 withdrawn, and Senate Bill No. 644 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 644—An Act relating to the operation of railroads.

Senator Campbell moved to amend, as follows:

Add to section one after the word "thereof," at the end of section, the following words: "*provided*, that in incorporated cities and towns having more than five thousand inhabitants, authority must first be obtained from the legislative authority of such city or town in the same manner in which franchises are granted."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 471—An Act to amend section seven hundred and fifty-three of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

SUBSTITUTION.

Senator Earl was granted unanimous consent to withdraw Senate Bill No. 471 (No. 40 on file), and to substitute therefor Senate Bill No. 467.

Senate Bill No. 471 withdrawn, and Senate Bill No. 467 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 467—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," as approved March 13, 1883, and amended March 19, 1889.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Passed on file temporarily.

THIRD READING OF BILL.

Senate Bill No. 102—An Act to amend an Act entitled "An Act to establish a Political Code," adopted February 14, 1872, by adding a new section thereto, to be numbered section five hundred and ninety-three, relating to the destruction of trees growing upon highways.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Orr, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—25.
NOES—None.

Title read and approved.

SECOND READING OF BILL.

Substitute for Senate Bill No. 33—An Act to provide for organizing and maintaining paid fire departments within cities and towns, or cities and counties, in the State of California, to be under the supervision and control of Boards of Fire Commissioners, respectively.

SUBSTITUTION.

Senator Fay was granted unanimous consent to withdraw Substitute for Senate Bill No. 33 (No. 43 on file), and to substitute therefor Senate Bill No. 557.

Substitute for Senate Bill No. 33 withdrawn, and Senate Bill No. 557 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 557—An Act for the protection of fish.
Read second time.

AMENDMENTS.

Senator Orr moved to amend, as follows:

Amend by striking out of section one, line nine, the words "one quarter to the District Attorney of the county," and insert the following: "one quarter to the County General School Fund."

Adopted.

Also:

Amend by adding an enacting clause, as follows: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

Adopted.

Bill ordered to print and engrossment as amended, and to a third reading.

President pro tem. R. B. Carpenter in the chair.

Senate Bill No. 128—An Act authorizing the incurring of indebtedness and issuance of bonds by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of water-works, sewers, buildings, breakwaters, seawalls, embankments, and all necessary public improvements, or for the purchase of land, or for any

purpose whatever, and to repeal all portions of Acts in conflict therewith; *providing*, that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced.

AMENDMENTS.

Senator Burke moved to amend, as follows:

By striking out of section five, line two, the word "five," and inserting the following in lieu thereof: "fifteen."

Adopted.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section eight, line four of printed bill, after the word "are," the words "to be."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out on line six of printed bill, section nine, the word "interest," and inserting in lieu thereof "interests."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out the semicolon on the third line of the title, after the word "State," and insert in lieu thereof a comma.

Adopted.

Senator Burke moved to amend by adding another section thereto, immediately after section eleven thereof, to be designated section eleven and one half, as follows:

SEC. 11½. All proceedings heretofore taken for the issuance of bonds, and all bonds heretofore issued, and all indebtedness incurred prior to the passage of this Act, under any prior Act of any Legislature of this State, shall be completed, carried out, paid, and discharged, under the provisions of such prior Act, except as to the aggregate amount of indebtedness, the time for the payment of such indebtedness, and the tax levy thereof, which shall be according to the provisions of sections five, six, and eight of this Act.

Adopted.

Also:

Amend section twelve, line two, by inserting after the word "the," on line two, in section twelve, the following: "incurring of indebtedness for any purpose;" and also insert after word "bonds," on same line, the word "therefor."

Adopted.

Also:

Amend section twelve, line three, by inserting at end of line three thereof the words "otherwise than as provided by the last preceding section."

Adopted.

Also:

Amend title of bill by inserting the words "for necessary public use."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reëngrossed:

Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of innavigable streams, and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel."

Also: Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

RAGSDALE, Chairman.

SECOND READING OF BILLS.

Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 453—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to street railroad corporations.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 426—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

On motion of Senator Simpson, Senate Bill No. 426 was referred to Committee on Corporations.

Senator Maher moved to reconsider the vote whereby Senate Bill No. 426 was referred to Committee on Corporations.

Motion carried.

Senate Bill No. 426 was then passed on file, in absence of author.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Read second time, and ordered to engrossment and to a third reading.

SENATE CONCURRENT RESOLUTION.

By Senator Ford: Senate Concurrent Resolution No. 11—

Approving the charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town at a special election held therein for that purpose, on February 28, 1893.

WHEREAS, The town of Grass Valley, in Nevada County, California, is now and at all times herein referred to was, a city containing a population of more than three thousand five hundred and not more than ten thousand inhabitants; and whereas, at an election duly held in said city on December third, eighteen hundred and ninety-two, in accordance with law and with the provisions of amendment number fourteen to the Constitution of this State, a Board of Fifteen Freeholders, duly qualified, was duly elected in and by said city, which said Board of Fifteen Freeholders did, within the ninety days next after such election, prepare and propose a charter for said city, signed in duplicate by a majority of the members of said Board of Freeholders, and was thereupon returned, one copy thereof to the President of the Board of Trustees of said city, and the other copy thereof to the County Recorder of the said county of Nevada; and whereas, such proposed charter was then published in one daily newspaper of general circulation in said city, to wit: in the "Daily Tidings," for the period of twenty days; and the first publication was made within twenty days after the completion of said charter; and within not less than thirty days after such publication said charter was duly submitted to the qualified electors of said city at a special election duly called for that purpose; and whereas, at said election a majority of such qualified electors of said city voting thereat, did vote in favor of, and did ratify said charter so proposed; and whereas, said charter as so ratified is now submitted to the Legislature of the State of California for its approval or rejection as a whole; and whereas, the said charter, so ratified, is in the words and figures following, to wit:

CHARTER OF THE CITY OF GRASS VALLEY.

ARTICLE I.

OF RIGHTS, LIABILITIES, AND BOUNDARIES.

SECTION 1. The municipal corporation known as the town of Grass Valley shall remain and continue a body politic and corporate, under the name and style of the City of Grass Valley, which shall succeed to and in which is hereby vested all the rights, privileges, property, and obligations of said town of Grass Valley.

SEC. 2. Said city shall have perpetual succession; may sue and defend in all Courts and places in all matters and proceedings whatever; may have and use a common seal, alterable at pleasure; may purchase, sell, let, lease, hold, and enjoy real and personal property within or without its boundaries, and especially all ditches, rights of way, reservoirs, water rights, and property of every description necessary or convenient to supply said city and its inhabitants with water, and for sewerage and drainage. May contract for water to supply said city and its inhabitants, construct, repair, manage, and maintain such ditches, reservoirs, aqueducts, and all works necessary in the distribution of such water; may levy and collect water rates, taxes on real and personal property, poll taxes, and licenses on all business therein. May determine what are nuisances, and prevent and remove the same. May construct, establish, and maintain drains and sewers; may determine and declare what are public uses and what property it is necessary to take for such purposes, and condemn the same under the provisions of section one thousand and one of Civil Code, and title seven, part three, of the Code of Civil Procedure of California, and such statutes of the State as relate to the exercise of the right of eminent domain, which are hereby made a part of this charter; may receive bequests, gifts, and donations of all kinds of property wherever situate, in fee simple or in trust, for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts, and donations, with the power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest, or trust.

SEC. 3. The channel of Wolf Creek through said city shall be, and the right of way through the same is hereby retained to said city for purposes of sewerage and drainage, and it cannot alienate any part of the same, and may keep said channel free of all obstructions and nuisances.

SEC. 4. Said city shall only purchase such ditches and water rights as may be necessary for fully supplying it and its inhabitants with water.

BOUNDARIES.

SEC. 5. Said city shall comprise the southeast quarter, the south half of the northeast quarter, the southeast quarter of the northwest quarter, and the east half of the southwest quarter of section twenty-seven, township sixteen north, range eight east, Mount Diablo base and meridian, being the same territory as the town of Grass Valley.

SEC. 6. The school district of the city of Grass Valley shall consist of the territory of the city and also of all additional territory annexed thereto by the Board of Supervisors of Nevada County, under and subject to provisions of section one thousand five hundred and seventy-six of the Political Code.

DIVISION INTO WARDS.

SEC. 7. The Board of Trustees may at their discretion divide said city into wards.

ARTICLE II.

OF OFFICERS, ELECTIONS, AND COMPENSATION.

SECTION 1. The corporate powers and duties of the city of Grass Valley shall be vested in a Board of Trustees and a City Board of Education, to be elected by the qualified electors thereof as hereinafter provided.

SEC. 2. The Board of Trustees of the city shall have power:

(a) To pass ordinances, not in conflict with the Constitution of this State or of the United States.

(b) To purchase, lease, or receive such real estate and personal property as may be necessary or proper for municipal purposes, and to control, dispose of, and convey the same for the benefit of the city; *provided*, that they shall not have the power to sell or convey any portion of the bed of Wolf Creek.

(c) To contract for supplying water to said city, and its inhabitants; acquire, construct, repair, manage, sell, lease, and let pipe-lines, aqueducts, reservoirs, and such other works as may be necessary or proper for supplying such water, and so fix water rates that the same will be equitable and each consumer assessed his fair proportion, according to the amount of water he actually consumes.

(d) To impose and collect an annual license, not exceeding two dollars, on every dog permitted at any time to run at large.

(e) To levy and collect taxes.

(f) To license, for the purpose of regulation and revenue, all and every kind of business authorized by law and transacted or carried on in this city, and all shows, exhibitions, and lawful games carried on therein; to fix the rate of license tax upon the same, and to provide for the collection of the same by suit or otherwise.

(g) To erect and maintain buildings for municipal purposes.

(h) To permit, under such restrictions as they may deem proper, the laying of railroad tracks and the running of cars drawn by horses, steam, electricity, or other power thereon, and the laying of gas and water pipes in the public streets, and vending gas and water in said city; and to permit the construction and maintenance of telegraph, electric, and telephone lines therein.

(i) To impose fines, penalties, and forfeitures for any and all violations of ordinances; and for any breach or violation of any ordinance to fix the penalty by fine or imprisonment, or both; but no such fine shall exceed the sum of two hundred dollars, nor the term of imprisonment exceed three months.

(j) To provide for the numbering of all buildings facing on the streets of said city.

(k) To provide for the impounding of animals, including dogs, found running at large in said city; to appoint a poundmaster, and to fix his fees and charges.

(l) The Board of Trustees may regulate or exclude the storing of gunpowder and other combustible and explosive materials within the city limits, and establish fire limits.

(m) The Board of Trustees may employ a surveyor and City Attorney whenever they deem the same necessary.

SEC. 3. The enacting clause of all ordinances shall be as follows: "The Board of Trustees of the city of Grass Valley do ordain as follows." Every ordinance shall be signed by the President of the Board of Trustees and attested by the City Clerk.

SEC. 4. All demands against this city shall be presented to and audited by the Board of Trustees, in accordance with such regulation as they may by ordinance prescribe; and upon the allowance of any such demand the Mayor of the city shall draw a warrant upon the Treasurer for the same, which warrant shall be countersigned by the Clerk, and shall specify for what purpose the same is drawn and out of what fund it is paid.

SEC. 5. Every act or thing done or being done within the limits of the city which is or may be declared by law or by any ordinance of the city to be a nuisance, shall be and is hereby declared to be a nuisance, and shall be considered and treated as such in all actions and proceedings whatever; and all remedies which are or may be given by law for the prevention and abatement of nuisances shall apply thereto.

SEC. 6. In the erection, improvement and repair of all public buildings and works, in all street, sewer, and water work, and in furnishing any supplies or materials for the same, when the expenditure required for such operations exceed the sum of one hundred dollars, the same shall be done by contract, and shall be let to the lowest responsible bidder, after due notice, under such regulations as may be prescribed by ordinance; *provided*, that the Board of Trustees may reject all bids presented, and readvertise, in their discretion; *provided further*, that no Trustee shall be interested in any contract.

SEC. 7. The violation of any ordinance shall be prosecuted in the name of the city, and may be redressed by civil action. Any person sentenced to imprisonment for the violation of an ordinance may be imprisoned in the jail of said city; or if the Board of Trustees by ordinance shall so prescribe, in the county jail of the county of Nevada, in which case the expense of such imprisonment shall be a charge in favor of the county and against the city.

SEC. 8. The Clerk of the Board of Trustees shall be denominated the City Clerk, and shall be empowered to administer oaths without charge in all matters concerning affairs of the municipality.

SEC. 9. The Board of Trustees shall sit as a Board of Equalization.

SEC. 10. The Board of Trustees, on the petition of not less than fifty electors, must ascertain the sense of the electors of the city on any desired ordinance, by submitting the question involved thereon to a vote of the electors at any regular election.

Sec. 11. The Board of Trustees shall not contract any indebtedness on the credit of the city in excess of three thousand dollars, without the consent of two-thirds of the qualified electors thereof voting thereon.

Sec. 12. The Board of Trustees shall consist of five members; *provided*, for each additional precinct an additional member shall be elected, one member to be elected from each additional precinct town or ward, and hereafter established in said city by the Board of Supervisors of Nevada County, and also one Trustee to be elected by the city at large, who shall be designated as the Mayor of the city. The Mayor shall be ex officio Chairman of the Board of Trustees and shall have general supervision of all the affairs of the city. A full Board of Trustees shall be elected at the first election after the adoption of this charter and thereafter at each general election. The President of the Board of Trustees of the town of Grass Valley, such given notice of the first election held under this charter and the Board of Trustees of the town of Grass Valley shall appoint election officers thereon.

Sec. 13. The City Board of Education shall consist of seven members, one from each election precinct in the city, which is now or may hereafter be established by the Board of Supervisors of Nevada County, and five at large. If any, to be elected by the city at large. The Board of Education shall elect one of their members as President.

Sec. 14. The City Board of Education shall, after the first election under this charter, be elected at such times as is now or may be hereafter fixed by the general laws of this State for the election of Boards of School Trustees, and shall take hold and exercise their powers in conformity with the general school laws relating to Boards of School Trustees and school districts, subject however to this charter. A Board of Education consisting of seven members shall be elected at the first election after the adoption of this charter.

Sec. 15. The notice of the first or such elections shall be given by the President of the Board of Trustees of the town of Grass Valley, and thereafter by the President of the Board of Education thereof. The election officers of the first election shall be appointed by the Board of Trustees and at all subsequent elections by said Board of Education. Such elections in other respects shall conform to the general school laws of this State; *provided* that the members of the Board of Education at their first meeting after the first election shall determine by lot which four of them shall go out of office at the expiration of the current school year and which three of their number shall hold office for the term of two years. As so determined four members of the Board first elected shall hold office for one year and three members for the term of two years. After the expiration of such first year, the term of office for each member of the Board shall be two years. So, until the residence of any member of the Board of Trustees or the Board of Education become detached from the precinct from which he was elected by reason of a change of precinct boundaries he shall only hold office until the next election, and the formation of a new precinct shall not otherwise affect or be affected by previous boundaries or elections.

Sec. 16. The Board of Trustees and the Board of Education shall within fifteen days after their election be convened, on written notice given, respectively, by the Mayor of the city and the President of the Board of Education, and shall each elect some person as clerk. They shall by by-laws or ordinances fix the time and place for holding their stated meetings and may be convened by their presiding officer at any time. They shall make such rules for their own government as they may deem proper. The clerk of the Board of Trustees or the Board of Education must not be selected from their own number.

Sec. 17. At all meetings of the Board of Trustees or Board of Education, a majority shall constitute a quorum. Any smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as the Board may previously ordain.

Sec. 18. The Board of Trustees and the Board of Education shall be judges in the first instance of the qualification, election, and removal of their own members, and the Board of Trustees shall likewise have jurisdiction to hear and determine contested elections of all other city officers; *provided* that no member of any Board shall prejudice the right of any elector of the city to contest the right of any person to any office herein provided for in the Superior Court, as provided in title two part three of the Code of Civil Procedure of California.

Sec. 19. The provisions of the Civil Code and statutes of California relating to the violation of the election laws, the punishment and removal of public officers for misconduct or the violation of their duty, by proceedings had in the Superior Court or other competent tribunal are hereby adopted, in relation to officers elected or appointed to office under the provisions of this charter.

Sec. 20. Besides a Board of Trustees, there shall be chosen in and for the city of Grass Valley, at the first election held under this charter, to wit:

A Marshal, a Treasurer, an Assessor, and a Water Collector. The Marshal shall be Chief of Police of said city, and shall also be the collector of all taxes, licenses, and assessments levied by the Board of Trustees, or otherwise under this charter. The Water Collector shall be ex officio Superintendent of Streets. All officers other than the members of the Board of Education shall take office at noon on the first Monday after the first day of January next succeeding their election, and shall hold their office for the term of two years; *provided* that the first election of officers under this charter shall be held on the first day of May, eighteen hundred and ninety-three, and such officers shall take office on the tenth day of May, eighteen hundred and ninety-three.

and shall hold office until the first Monday after the first day of January, eighteen hundred and ninety-five, except that the members of the Board of Education shall take office on the tenth day of June, eighteen hundred and ninety-three. All officers shall severally qualify within ten days after their election, and in case of failure so to do, the Board of Trustees may declare the office vacant, and appoint their successor.

SEC. 21. All appointed officers may be removed at the pleasure of the Board of Trustees, who shall prescribe the powers and duties, and fix the compensation of all officers not herein fixed, and shall fill all vacancies. The presiding officer of each Board shall have the right to vote in the selection of every appointee.

SEC. 22. It shall be the duty of the Marshal and Water Collector to devote their entire time to their respective offices.

SEC. 23. All officers, before entering upon their duties, shall take the oath of office required by general laws of public officers, and shall file bonds for the faithful performance of their duties, to be approved by the Board of Trustees, in such sums as the Board may regard proper. If from any cause any of such bonds shall have become insufficient, in the opinion of the Board, they may require of such officer an additional bond, and for failure to comply with such order for a period of ten days, the office shall become vacant.

SEC. 24. All elections for members of the Board of Trustees, Marshal, Treasurer, Assessor, and Water Collector shall, after eighteen hundred and ninety-three, be held simultaneously with the general elections throughout the State, beginning with the general election of eighteen hundred and ninety-four, and the Election Board selected by the Board of Supervisors for the various precincts of the city of Grass Valley, shall ex officio constitute the Board of Election to conduct elections provided for by this charter; *provided, however*, that a separate ballot-box shall be provided for the ballots cast under this charter; *and provided further*, that until the Board of Trustees otherwise ordain, in all elections held under this charter a compliance with the election law of this State as it existed on the first day of January, eighteen hundred and eighty-nine, including the provision relating to nominations, election proclamations, and ballots shall be deemed sufficient; *provided further*, that the Board of Trustees shall give previous public notice of every election other than school elections for a period not less than ten days, and that the returns of such elections shall be made to the Board of Trustees, who shall issue certificates of election to the persons having the highest number of votes for each office voted for; *and further provided*, that ordinary white paper may be used for ballots. All ballots shall be uniform, and printed on paper furnished by the Board of Trustees of the city at cost.

SEC. 25. No person shall be declared elected to any office who is not a resident and qualified elector of the city or precinct from which he is elected.

SEC. 26. The Mayor shall, on the first day of April and October of each year, make out a correct statement of all moneys received and expended, from whom, and for what purpose received, and to whom and for what purpose paid out, during the six months next preceding, and shall cause such statement, within the next ten days thereafter, to be posted in one or more public places in each precinct in said city. If the Mayor shall neglect to make and cause such statement to be published, he shall forfeit for every such neglect the sum of one hundred dollars, to be recovered by suit in any Court of competent jurisdiction. The President of the Board of Education shall publish a like statement at the close of each school year. Within ninety days after the first election held under this charter, the Board of Trustees shall adopt a code of by-laws and ordinances thereunder, and shall print the same in pamphlet form. No further publication shall be necessary to render such ordinances valid, and any elector may procure a copy thereof from the Clerk of the Board at actual cost of printing. Thereafter no ordinance shall take effect until published by being posted for ten days in each precinct in said city, or published for five days in some newspaper printed in said city of Grass Valley, as the Board of Trustees may elect. An order entered in the minutes of the Board that such ordinance has been duly published or posted shall be prima facie proof of such publication or posting. All printing shall be done at a rate to be fixed by the Board of Trustees.

SEC. 27. The Marshal, Treasurer, Assessor, and Water Collector shall be subject to the order of the Board of Trustees, and in case of malfeasance in office, failure or neglect of duty, may be suspended or removed by a vote of the majority of the members of the Board of Trustees; *provided*, that no officer shall be removed until after charges have been preferred against him and a trial be had before the Board.

SEC. 28. Any Justice of the Peace residing in and having his office within the limits of the city shall have jurisdiction to try all cases involving the violation of any ordinance ordained under this charter, and shall have such further authority in relation to such ordinances as is given him by the Penal Code of this State in relation to misdemeanors; *provided, however*, that in all cases an appeal shall lie from his decision to the Superior Court of Nevada County in like manner as in criminal cases. Any Justice of the Peace performing such services shall receive such fees therefor as the Board of Trustees may ordain. Every Constable, Sheriff, Deputy Sheriff, and policeman residing in the city is authorized to make arrests and serve process under such ordinances, and shall receive therefor such fees as the Board of Trustees may ordain.

COMPENSATION OF OFFICERS.

SEC. 29. The compensation of no officer shall be increased or diminished during the term for which he is elected.

SEC. 30. No member of the Board of Education shall receive any compensation whatever.

SEC. 31. No member of the Board of Trustees shall receive any compensation in excess of fifty dollars per annum.

SEC. 32. The Marshal shall receive such salary as the Trustees may determine, not exceeding the sum of fifty dollars per month; and such fees as License and Tax Collector as may be fixed by the Board of Trustees.

SEC. 33. The Assessor shall receive such compensation, not exceeding two hundred dollars per annum, together with five per cent on such personal property tax as he actually collects, as the Board of Trustees may determine.

SEC. 34. The Water Collector shall receive such salary as the Trustees may determine, not exceeding the sum of one thousand dollars per annum, in full for all services.

SEC. 35. The City Clerk shall receive such salary as the Board of Trustees may determine, not exceeding the sum of twenty-five dollars per month.

SEC. 36. The Clerk of the Board of Education shall receive such salary as the Board of Education may determine, not exceeding the sum of twelve dollars per month.

ARTICLE III.

REVENUE AND TAXATION

SECTION 1. The revenue of the city of Grass Valley, other than for school purposes, shall be derived from the following sources, viz.:

(a) A road poll tax, to be levied annually by the Board of Trustees of said city, on all male inhabitants thereof over twenty-one years and under fifty-five years of age, which may equal but shall never exceed three dollars per individual per annum; *provided*, the Board of Trustees may exempt the members of any authorized fire company, or exempt firemen of the city or town of Grass Valley from said tax.

(b) A property tax, to be levied by the Board of Trustees of said city upon all property within said city at twelve o'clock p. on the first Monday of March of each year, which may equal but shall never exceed fifty cents on each one hundred dollars of the valuation of such property.

(c) Such licenses as the law of this State or this charter shall allow said city to levy or collect.

SEC. 2. The present provisions of the Political Code of California, providing a revenue for State and county purposes, in so far as the same may be applicable to the assessment and equalization for taxation, levy, and collection of all taxes, and sales of property for delinquent taxes in said city, and licenses levied and provided for by any ordinance of said city, are hereby adopted and extended to all matters arising out of said assessment, levy, and collection, and are especially made a part of the charter, the word "City Assessor" being substituted in all cases where County Assessor is in said Code mentioned; the words "Board of Trustees of the city of Grass Valley" substituted wherever the words "Board of Supervisors" occur; the words "Board of Equalization of the city of Grass Valley" being substituted wherever the words "Board of Equalization" occurs therein, and the word "Marshal" being substituted wherever the words "County Treasurer," "Treasurer," or "Tax Collector" occurs therein.

SEC. 3. All taxes shall be a lien on the property taxed, and all personal property tax shall be a lien on the real property belonging to the owner of said personal property from twelve o'clock m. of the first Monday of March of each year.

ARTICLE IV.

FIRE DEPARTMENT.

SECTION 1. The Fire Department and all fire apparatus, and the purchase thereof, shall be under the management and control of the Board of Trustees.

SEC. 2. The Fire Department shall consist of the three fire companies now existing, and such other companies as may be hereafter organized. A Chief Engineer (who shall be ex officio Fire Marshal), two Assistant Engineers, and as many members in each company as the Board of Trustees may determine.

SEC. 3. The members of the Fire Department shall elect their own officers and members; *provided*, that the Board of Trustees shall have power to admit newly organized fire companies of fifteen or more members into the Fire Department.

SEC. 4. The Board of Trustees shall suspend or remove (for cause) any officer or member from the Fire Department, and fix and enforce penalties for the violation of any rules or regulations made for the government of the Fire Department.

ARTICLE V.

BOARD OF HEALTH.

SECTION 1. There shall be a Board of Health, which shall consist of five members, who shall be appointed by the Board of Trustees, two of whom must be physicians in active practice and graduates of some reputable medical college. They shall hold office during the pleasure of the Board of Trustees.

SEC. 2. The City Clerk shall be ex officio Clerk of the Board of Health. The Mayor

shall be ex officio President of the Board of Health, but not entitled to vote, except in case of a tie, when he shall have a right to vote. Any member failing to qualify within ten days after his appointment shall be deemed to have declined the office, and a new appointment shall be made. Three members shall constitute a quorum for the transaction of business.

SEC. 3. The Board of Health shall have such general supervision as may be provided by ordinance of all matters appertaining to the sanitary condition of the town, may act in a summary manner in cases of contagious diseases, must exercise a general supervision over the death records of the town, and may adopt such forms and regulations, not inconsistent with law and the ordinances of the Board of Trustees, for the use and government of physicians, undertakers, and superintendents of cemeteries as in their judgment may be best calculated to secure reliable statistics of mortality in the city, and prevent the spread of disease.

SEC. 4. The Board may appoint, when deemed advisable, by and with the consent of the Board of Trustees, a Health officer, who shall be the executive officer of the Board.

SEC. 5. Any member of the Board of Health and the Health Officer may administer oaths on business connected with the Health Department.

SEC. 6. Whenever it is reported to the Mayor by the Board of Health that there exists on any premises any privy vault, cesspool, or filth deposit which, in the opinion of such Board of Health, is injurious to the health of the neighborhood, and which the owner or occupant has failed to have cleansed or removed for five days after notice so to do from any member of the Board of Health, the Mayor shall order the same to be cleansed or removed, and the expense of so doing shall thereupon become a lien on such premises and a charge against such owner or occupant so notified, to be collected in any Court of competent jurisdiction, together with cost of suit.

ARTICLE VI.

SEWERS.

SECTION 1. The Board of Trustees may by ordinance provide for the construction of any sewer at the cost, in whole or in part, of the owners of the real property affected or benefited thereby.

SEC. 2. The provisions of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations of the State of California, approved March thirteenth, eighteen hundred and eighty-three," and all amendments thereto, are hereby adopted, so far as not inconsistent with the provisions of this charter, and made a part hereof, and all the provisions of the general laws of California relating to cities, and not in conflict with this charter, are hereby adopted and made a part hereof; *provided always*, that no sewers shall be constructed on the assessment plan, except the consent, in writing, of the owners of two thirds of the property to be affected thereby be first filed with the Board of Trustees; *and further provided*, that no bonds shall ever be issued by said city until the question of the issuance of such bonds shall have been submitted to the voters of said city at a special election called for that purpose, and no bonds shall ever be issued unless consented to by two thirds of the voters voting at such election. The call for such election must specify the general route of the proposed sewers, the amount proposed to be raised, and the general character of the work.

ARTICLE VII.

STREETS, WATER, AND DRAINAGE.

SECTION 1. The Trustees shall have power to lay out, open, and keep open, alter, grade, regulate, and repair the streets, alleys, and sidewalks of the city, and sprinkle and light the same; to provide for, construct, regulate, and keep in repair a system of sewerage and drainage for the city, and provide for the making of street crossings where they may deem proper; to construct bridges where necessary, and provide for the protection of the same.

SEC. 2. The Board of Trustees may, by ordinance, declare the necessity of the construction or repair of the sidewalks of the city and prescribe the character thereof, and when such ordinance is passed the owner or occupant of the lot may proceed to do the work specified in front of such lot or part of lot so owned or occupied, under the direction and control of the said Board of Trustees, and within such time as may be specified in such ordinance. Whenever such work shall not be done by such owner or occupant within the time prescribed, said Board of Trustees may levy an assessment upon all such lots where such work has not been done, sufficient in amount to defray the expense of such work, which assessment shall be levied and collected by suit in the same manner and under the same provisions of law whereby city taxes now are or may be hereafter collected; and every such assessment shall become and hereby is declared to be a lien upon said lots severally, to attach at the date of the publication of any such ordinance.

SCHEDULE.

SECTION 1. Should any provision of this charter in relation to elections or the election of officers, or the organization of the government of the city, from any cause, prove inoperative or be adjudged invalid, the Board of Trustees are empowered to remedy the

same and supply the defect by the adoption of such measures or ordinances as they may deem best adapted thereto, consistent with the general scope of this charter.

SEC. 2. All special Acts relative to the incorporation of the town of Grass Valley, or the formation of the school district of Grass Valley, are hereby repealed, so far as they relate to any territory of the city of Grass Valley.

SEC. 3. All ordinances of the town of Grass Valley shall remain in effect as the ordinances of the city of Grass Valley, until amended or repealed by the Board of Trustees, so far as such ordinances are consistent with this charter.

SEC. 4. All actions under this charter shall be brought in the name of the city of Grass Valley, and every violation of any ordinance enacted under this charter may be denominated a misdemeanor.

SEC. 5. On the adoption of this charter all the present officers of the town of Grass Valley, and of the Grass Valley School District, shall continue to hold like offices of the city of Grass Valley until their successors are elected and qualified under the provisions of this charter.

This charter shall take effect immediately on its approval by the Legislature of the State of California, as provided by law.

Be it known that the town of Grass Valley, containing a population of more than three thousand five hundred and less than ten thousand inhabitants, on the third day of December, eighteen hundred and ninety-two, at a special election held under and in accordance with the provisions of section eight of article eleven of the Constitution of the State of California, did elect the undersigned a Board of Fifteen Freeholders, to prepare and propose a charter for said town, and we, the members of said Board, in pursuance of said provision of the Constitution, and within a period of ninety days after such election, have prepared and do propose the foregoing, signed by us in duplicate, as and for the charter of the said town of Grass Valley.

In witness whereof, we have hereunto set our hands and seals this twenty-first day of January, A. D. eighteen hundred and ninety-three. Done in duplicate.

JAMES M. LAKENAN, President.
A. BURROWS.
EDWARD COLEMAN.
GEORGE FLETCHER.
JOHN GLASSON.
WILLIAM GEORGE.
SAMUEL GRANGER.
E. JAMIESON.
W. C. JONES.
CHARLES W. KITTS.
WM. JOS. MICHELL.
THOMAS OTHET.
WILLIAM R. THOMAS.
THEO. H. WILHELM.

Attest: W. D. HARRIS, Secretary.

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all members elected to each house voting for and concurring therein), That said charter as presented to and adopted, and ratified by the qualified electors of said city, be and the same is hereby approved as a whole for and as the charter of said town of Grass Valley.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

AYES—MESSRS. ARMS, BERRY, BIGGY, BRODERICK, BURKE, CAMPBELL, CARPENTER, DENISON, EARL, EVERETT, FAY, FORD, GESFORD, HARP, HART, HOYT, McALLISTER, MAHER, MAHONEY, MARTIN, MATHEWS, OSTROM, RAGSDALE, SEYMOUR, SHIPPEE, SIMPSON, STREETER, VOOORHEIS, WHITEHURST, WILLIAMS, and WILSON—30.

NOES—None.

Resolution ordered to engrossment.

THIRD READING OF BILLS.

Senate Bill No. 296—An Act for the relief of Charles F. Wells, and to appropriate money therefor.

Read third time, and finally passed by the following vote:

AYES—MESSRS. ARMS, BAILEY, BERRY, BIGGY, BRODERICK, BURKE, CAMPBELL, CARPENTER, DENISON, EARL, EVERETT, FAY, FORD, GESFORD, HARP, HART, HOYT, McALLISTER, MAHER, MAHONEY, MATHEWS, RAGSDALE, SHIPPEE, SIMPSON, STREETER, WHITEHURST, and WILLIAMS—27.

NOES—None.

Title read and approved.

Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Ragsdale, Seawell, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.
NOES—Senator Shippee—1.

Title read and approved.

Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Ford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—Messrs. Gesford and Shippee—2.

Title read and approved.

Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Ford, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Simpson, Streeter, Williams, and Wilson—22.

NOES—Messrs. Biggy, Dunn, Gesford, and Shippee—4.

Title read and approved.

Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Carpenter, Everett, Ford, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—Messrs. Biggy, Burke, Dunn, Fay, Gesford, and Shippee—6.

Title read and approved.

Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Ford, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Mathews, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—Messrs. Biggy, Burke, Dunn, Fay, Gesford, and Shippee—6.

Title read and approved.

Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Ford, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Ragsdale, Seawell, Seymour, Streeter, Voorheis, Whitehurst, Williams, and Wilson—22.

NOES—Messrs. Biggy, Burke, Gesford, and Shippee—4.

Title read and approved.

MOTION.

On motion of Senator Ford, Senate Bill No. 757 was ordered placed at the head of third reading file.

SECOND READING OF BILL.

Senate Bill No. 173—An Act making an appropriation for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Senator Ostrom moved to amend, as follows:

By striking out of section one, line four, the word "goods," and inserting the following: "bags."

Senator Williams moved to strike out the enacting clause.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Broderick, Denison, Everett, Ford, Hoyt, Maher, Mahoney, Seymour, Simpson, Voorheis, and Williams—11.

NOES—Messrs. Berry, Biggy, Burke, Carpenter, Dunn, Fay, Gesford, Harp, McAllister, McGowan, Martin, Orr, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Whitehurst, and Wilson—19.

MOTION.

At ten o'clock and ten minutes p. m. Senator Burke moved to adjourn. The roll was called, and the motion lost by the following vote:

AYES—Messrs. Broderick, Denison, Everett, Ford, Harp, Hoyt, Mahoney, Seymour, and Williams—9.

NOES—Messrs. Arms, Bailey, Burke, Campbell, Carpenter, Dunn, Earl, Fay, Gesford, Hart, McAllister, McGowan, Maher, Martin, Orr, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—23.

The question then recurring on the adoption of the amendment offered by Senator Ostrom, the same was adopted.

Senate Bill No. 173 read second time, ordered to print and engrossment as amended, and on file for third reading.

MOTION.

At ten o'clock and twelve minutes p. m. Senator Burke moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Denison, Everett, Harp, Martin, and Ostrom—8.

NOES—Messrs. Bailey, Broderick, Campbell, Carpenter, Earl, Fay, Ford, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—21.

SECOND READING OF BILL.

Substitute for Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Read second time, and ordered to a third reading.

FIRST READING OF BILL.

Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor William Irwin, and to

prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Read first time, and ordered on file for second reading.

MOTION.

At ten o'clock and twenty minutes p. m. Senator Campbell moved to adjourn.

Lost.

On motion of Senator Hart, Substitute for Assembly Bill No. 396 was made a special order for Wednesday next at nine o'clock p. m.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Also: Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Also: Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Also: Assembly Bill No. 691—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties having a population of two hundred thousand inhabitants or over.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

Also: Assembly Bill No. 236—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof.

Also: Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855.

Also: Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Also: Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of March, amended, and passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 859—An Act to amend section one thousand six hundred and fourteen, title two, of the Penal Code, in relation to the government of prisoners sentenced to terms of imprisonment in county jails.

Also: Substitute for Senate Bills Nos. 157, 372, 373, and 441—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Also: Assembly Bill No. 815—An Act to add a new article to chapter one, of title two, part three, of the Political Code of the State of California, to be known and designated as article four, and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourth day of March, passed Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 31, A. D. 1891."

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Also: Amended, and passed as amended, Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Also: Substitute for Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Also: Senate Bill No. 354—An Act to create a special Commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor.

Also: Senate Bill No. 332—An Act to authorize the acquisition, by donation, of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same.

Also: Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of March, passed Senate Bill No. 38—An Act to appropriate money to institutions supporting and maintaining aged persons in indigent circumstances afflicted with incurable diseases.

Also: Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity and on consent of the Board of Examiners.

Also: Assembly Bill No. 606—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourth day of March, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Also: Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of March, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 606—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senator Seymour moved to refer Assembly Bill No. 666 to Committee on Irrigation and Water Rights.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Berry, Broderick, Carpenter, Denison, Harp, Hart, McGowan, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—17.

NOES—Messrs. Arms, Bailey, Campbell, Dunn, Earl, Fay, Gesford, Hoyt, McAllister, Martin, Mathews, Ostrom, Seawell, Whitehurst, and Wilson—15.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, receded from its amendments to Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and

eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

Also: Senate Bill No. 495—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Also: Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Also: Senate Bill No. 230—An Act to amend section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Also: Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Also: Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Also: Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourth day of March, passed Assembly Bill No. 774—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, sixty, eighty, ninety-three, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-six, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-four, one hundred and fifty-five, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen thereof, and by repeating sections one hundred and six and one hundred and ten of said Act, and by renumbering sections one hundred and seven, one hundred and eight, and one hundred and nine of said Act, and designating them as sections one hundred and six, one hundred and seven, and one hundred and eight, respectively, and by adding two new sections to said Act, and numbering them sections one hundred and nine and one hundred and ten.

Also: substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and sixty-six, one thousand five hundred and sixty-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and thirteen, one thousand

seven hundred and fourteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and sixty-one, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, one thousand five hundred and three of the Political Code; to add thereto three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code, all relating to the public schools; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Also: Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Senator Seymour was granted unanimous consent to withdraw Senate Bill No. 299 (No. 382 on file), and to substitute therefor Assembly Bill No. 307, they being identical bills.

The history of Senate Bill No. 299 is as follows: Bill read first time.

Senate Bill No. 299 withdrawn, and Assembly Bill No. 307 substituted therefor on file.

Assembly Bill No. 611 referred to Committee on Corporations.

Senator Ragsdale was granted unanimous consent to withdraw Senate Bill No. 348 (No. 56 on file), and to substitute therefor Assembly Bill No. 368, they being identical bills.

The history of Senate Bill No. 248 is as follows: Bill read first time.

Senate Bill No. 348 withdrawn, and Assembly Bill No. 368 substituted therefor on file.

Senator Maher was granted unanimous consent to withdraw Senate Bill No. 642 (No. 247 on file), and to substitute therefor Assembly Bill No. 691, they being identical bills.

The history of Senate Bill No. 642 is as follows: Bill read first time.

Senate Bill No. 642 withdrawn, and Assembly Bill No. 691 substituted therefor on file.

BILLS REFERRED TO COMMITTEES.

Assembly Bill No. 108 referred to Committee on Judiciary.

Assembly Bill No. 236 referred to Committee on Irrigation and Water Rights.

Assembly Bill No. 313 referred to Committee on Finance.

Assembly Bill No. 272 referred to Committee on Judiciary.

Senate Bills Nos. 775 and 776 ordered to enrollment.

Senate Bill No. 229 ordered on file.

Assembly Bill No. 850 referred to Committee on Judiciary.

Substitute for Senate Bills Nos. 157, 372, 373, and 441 ordered to enrollment.

Assembly Bill No. 815 referred to Committee on Elections.

Assembly Bill No. 219 referred to Committee on Judiciary.

Senate Bill No. 40 ordered to enrollment.

Senate Bill No. 641 ordered on file.

Senator McAllister was granted unanimous consent to place Assembly Bill No. 777 on the Assembly file.

Senate Bill No. 96 ordered to enrollment.

Substitute for Senate Bill No. 35 ordered to enrollment.

Senate Bills Nos. 354, 332, 504, and 38 ordered to enrollment.

Assembly Bill No. 550 ordered on Assembly file.

Assembly Bill No. 696 referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

Senate Bills Nos. 555, 669, 214, 506, 405, 342, 230, 115, 538, and 671 ordered to enrollment.

Assembly Bill No. 774 ordered on file.

Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730 referred to Committee on Judiciary.

Assembly Bill No. 724 ordered on file, on motion of Senator Hart.

ADJOURNMENT.

At ten o'clock and forty-five minutes P. M., on motion of Senator Arms, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 7, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gestford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Flint.

APPROVAL OF JOURNAL.

The Journal of Friday, March 3, 1893, was approved.

SUBSTITUTION.

Senator Orr was granted unanimous consent to withdraw Senate Bill No. 634 (No. 191 on file), and to substitute therefor Assembly Bill No. 313, they being identical bills.

The history of Senate Bill No. 634 is as follows: Bill read first time.

Senate Bill No. 634 withdrawn, and Assembly Bill No. 313 substituted therefor on file.

SPECIAL ORDERS.

Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Read second time, and ordered to a third reading.

On motion of Senator McGowan, the further consideration of Assembly Bill No. 280 was made a special order for to-morrow morning, immediately after reading the Journal.

Reconsideration of the vote whereby Assembly Joint Resolution No. 8 was adopted.

The roll was called, and the vote whereby Assembly Joint Resolution No. 8 was adopted reconsidered by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—21.

NOES—Messrs. Arms, Berry, Burke, Dunn, Fay, Gesford, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Whitehurst, and Wilson—14.

MOTION.

Senator Mahoney moved that Assembly Joint Resolution No. 8 be referred to the Committee on Federal Relations.

So ordered.

POSTPONEMENT.

On motion of Senator Maher, the following special orders set for consideration at this hour were reset as special orders for consideration immediately after the reading of the Journal on to-morrow, viz.:

Governor's message relative to Senate Bill No. 49.

Reconsideration of the vote whereby the Senate refused to adopt Senate Constitutional Amendment No. 5, on March 3, 1893.

Reconsideration of the vote whereby Senate Bill No. 138 was passed on March 3, 1893.

Reconsideration of the vote whereby Senate Bill No. 133 was refused passage.

Reconsideration of the vote whereby Senate Bill No. 75 was refused passage.

Reconsideration of the vote whereby the enacting clause was stricken from Senate Bill No. 377.

Senate Bill No. 162—An Act to encourage fiber culture.

Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband.

URGENCY FILE.

The hour of ten o'clock and thirty minutes A. M. having arrived, the Senate proceeded to consider bills on the urgency file.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay the same.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Passed on file.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Passed on file.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the people of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Passed on file.

Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers in the harbor of San Diego.

Passed on file.

President pro tem. R. B. Carpenter in the chair.

THIRD READING OF BILL.

Senate Bill No. 27—An Act to amend section one thousand four hundred and twenty-six of the Political Code, relating to the appointment of members of the Board of Regents of the University of California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, McAllister, Martin, Mitchell, Orr, Ostrom, Simpson, and Streeter—21.

NOES—Messrs. Burke, McGowan, Maher, Mathews, Seawell, Seymour, Shippee, Whitehurst, Williams, and Wilson—10.

Title read and approved.

FIRST READING OF BILLS.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Temporarily passed, was taken up, read first time, and placed on file for second reading.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the people of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Temporarily passed, was taken up, read first time, and placed on file for second reading.

THIRD READING OF BILL.

Senate Bill No. 13—An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities, and towns, and cities and counties having a population of five thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Read third time, and finally passed by the following vote:

AYES—Messrs. Broderick, Burke, Earl, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—22.

NOES—Messrs. Carpenter, McGowan, Mitchell, and Ostrom—4.

Title read and approved.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Passed on file, in absence of the author.

Hon. J. B. Reddick, President of the Senate, in the chair.

Senate Constitutional Amendment No. 13—To propose to the people of the State of California an amendment to the Constitution of the State, amending article six, relative to the "Judicial Department."

Passed on file.

Senate Constitutional Amendment No. 2—Relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

Passed on file.

Senate Constitutional Amendment No. 3—To propose to the people of the State of California an amendment to section three of article eleven of the Constitution of the State of California.

SUBSTITUTION.

Senator Mathews was granted unanimous consent to withdraw Senate Constitutional Amendment No. 3, and to substitute therefor Senate Constitutional Amendment No. 7:

SENATE CONSTITUTIONAL AMENDMENT No. 7.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its regular session, commencing on the second day of January, eighteen hundred and ninety-three, two thirds of all the members of each house concurring, hereby propose that section nine of article thirteen of the Constitution of the State be amended so as to read as follows:

A State Board of Equalization, consisting of one member from each congressional district in this state, shall be elected by the qualified electors of their respective districts, at the first general election to be held after the adoption of this amendment, and at each general election every four years, whose term of office shall be for four years, whose duty it shall be to equalize the valuation of the taxable property in the several counties of the state for the purpose of taxation. The Controller of State shall be ex officio a member of the Board. The Boards of Supervisors of the several counties of the State shall constitute Boards of Equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county for the purpose of taxation; *provided*, such State and County Boards of Equalization are hereby authorized and empowered, under such rules of notice as the County Boards may prescribe as to the county assessments, and under such rules of notice as the State Board may prescribe as to the action of the State Board, to increase or lower the entire assessment roll, or any assessment contained therein, so as to equalize the assessment of the property contained in said assessment roll, and make the assessment conform to the true value in money of the property contained in said roll; *provided*, that no Board of Equalization shall raise any mortgage, deed of trust, contract, or other obligation by which a debt is secured, money, or solvent credits, above its face value. The State Board of Equalization elected in eighteen hundred and ninety-four shall continue in office until their successors, as herein provided for, shall be elected and shall qualify.

The roll was called, and Senate Constitutional Amendment No. 7 adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Streeter, Whitehurst, Williams, and Wilson—27.

NOES—None.

Senate Constitutional Amendment No. 12—Proposed amendment to article twelve of the Constitution, relative to the election of Railroad Commissioners.

Passed on file.

Senate Constitutional Amendment No. 8—Proposing an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, its powers and duties, and adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares.

On motion of Senator Gesford, Senate Constitutional Amendment No. 8 was made a special order for consideration to-morrow, immediately after the reading of the Journal.

Senate Constitutional Amendment No. 19—To amend section one of article thirteen of the Constitution.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 56—An Act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing A. P. Clark from Victoria, B. C., to California, under extradition papers; said A. P. Clark being charged with the crime of forgery.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 338—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Senator Arms moved to amend by striking out all of section one and inserting the following:

"1202. At the same time and in the same manner as Inspectors and Judges of election are now appointed in this State, two Ballot Clerks for each election precinct in the State shall be appointed, whose duty it shall be to have charge of the ballots on the day of election, and to furnish them to the voters in the manner hereinafter provided. Such Ballot Clerks shall be electors of the precinct from which they are appointed, and shall be paid the same compensation as Inspectors of Election. In making appointment of such Ballot Clerks, one of them shall be taken from the political party that polled the largest number of votes at the last preceding election, and the other from the party that polled the next largest number of votes at such election. They shall act as additional Clerks of Election when the polls are closed, and they shall serve until the votes are counted and the returns are signed; *provided*, that whenever a general and a municipal election shall be held at the same time, there shall be appointed one additional Inspector, one additional Judge, and two additional Clerks in the manner now provided by law."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Fay, Gesford, Harp, McAlister, Maher, Martin, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—18.

NOES—Messrs. Berry, Burke, Denison, Hart, Ostrom, and Wilson—6.

Senator Arms moved to amend, as follows:

By striking out of the title the following: "one thousand one hundred and forty-two," and inserting the following in lieu thereof: "one thousand two hundred and two."

Adopted.

Read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 762—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Passed on file.

FIRST READING OF BILLS.

Senate Bill No. 370—An Act making an appropriation for support and maintenance of the State Mining Bureau for the forty-fifth and forty-sixth fiscal years.

Read first time, and placed on file for second reading.

Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry, and bath house, and for improvements of the grounds, heating and cook-

known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code, all relating to public schools; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

On the question of the printing in the Journal all substitutes for Senate Bills, the President requested an opinion of the Judiciary Committee.

OPINION OF JUDICIARY COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: The Senate Committee on Judiciary, replying to the query of the presiding officer as to the legal necessity to set forth in full in the Journal a substitute for a bill, have the honor to report that the committee decides that the law is fully satisfied by setting forth the title of the substitute in the Journal, and that there is no necessity to set forth a substitute in full.

People vs. Dunn, 80 Cal. 211.

Sherman vs. Story, 30 Cal. 253.

McGOWAN, Chairman

The President thereupon announced that a substitute for a bill need not be set forth in the Journal in full, but that a mention of same by title was sufficient.

Substitute adopted.

Read second time, ordered printed and engrossed, and on file for third reading.

FIRST READING OF BILL.

Senate Bill No. 780—An Act to appropriate the surplus moneys in the Special Mendocino Asylum Fund in the State Treasury to the uses of the Mendocino State Insane Asylum.

Read first time, and placed on file for second reading.

Senate Constitutional Amendment No. 20—An Act to submit to the people of the State of California an amendment to section twenty-three of article four of the Constitution of the State of California.

The roll was called, and Senate Constitutional Amendment No. 20 adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Dunn, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—27.

NOES—Messrs. Burke, Carpenter, Denison, Earl, McAllister, Ostrom, and Wilson—7.

Senate Constitutional Amendment No. 21—An Act to submit to the people of the State of California an amendment to section two of article four of the Constitution of the State of California.

The roll was called, and Senate Constitutional Amendment No. 21 adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Dunn, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, McGowan, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—27.

NOES—Messrs. Burke, Carpenter, Earl, McAllister, and Ostrom—5.

UNFINISHED BUSINESS.

SENATE CONCURRENT RESOLUTION No. 10.

Concurrent resolution relative to adjournment *sine die*.

Resolved by the Senate, the Assembly concurring. That the Legislature, thirtieth session, shall adjourn *sine die*, Tuesday, March fourteenth, eighteen hundred and ninety-three, at twelve o'clock p. m.

The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

AYES—MESSRS. ARMS, BERRY, BIGGY, BRODERICK, BURKE, CAMPBELL, CARPENTER, DENISON, DUNN, EARL, EVERETT, FAY, FLINT, FORD, GEFORD, HARP, HART, McALLISTER, MCGOWAN, MAHONEY, MARTIN, MATHIEWS, MITCHELL, ORR, OSTRUM, RAGSDALE, SEAWELL, SEYMOUR SHIPPEE, SIMPSON, STREETER, VORHEIS, WHITEHURST, and WILLIAMS—34.

NOES—None.

SPECIAL ORDERS.

Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read first time, and, on motion of Senator Ostrom, made a special order for to-morrow, at eleven o'clock and fifty minutes A. M.

Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Passed on file, and on motion of Senator Seawell was made a special order for eleven o'clock and fifty minutes A. M. to-morrow.

PRESENTATION OF PETITIONS.

Senator Earl presented the following petition, and asked that it be printed in the Journal.

So ordered.

OAKLAND, CALIFORNIA, March 5, 1893.

To the Senate and Assembly of California:

At a mass meeting of the citizens of Oakland, held this afternoon, to protest against the passage of the Uniform License Bill, now before your honorable bodies, the following resolutions were adopted:

Resolved, That we consider the passage of the Uniform License Bill contrary to the very essence of a republican form of government, a shameless effort to thwart the rights of towns, cities, and counties, and, if passed, will indicate a spirit that presents a danger to our civilization, and a menace to our Government.

Resolved, That we thank our Senators and Assemblymen who have thus far opposed the measure, and urge them to maintain their positions, assured that their persistence will be rewarded by all law-abiding citizens.

D. A. FEARN, Chairman.

Mrs. Ada Van Pelt was authorized to convey these resolutions to Sacramento and place them in the hands of our representatives.

D. A. FEARN, Chairman.

Senator Whitehurst presented the following protest, and asked that it be printed in the Journal:

So ordered.

To the Senate and Assembly of California:

At a meeting of the citizens of Gilroy, Santa Clara County, held on Sunday, March 5, 1893, after discussion on the proposed measure to fix a uniform license on liquor vendors, it was, by unanimous vote,

Resolved, That, as the tendency of such a law would be mischievous in effect upon communities where restrictive ordinances are in operation, or in contemplation; and that, as its passage by the Legislature would be an illegitimate interference with the existing right of the people to regulate the traffic, they offer their earnest and solemn protest against the bill, and trust that the Assembly and the Senate will wisely hold sacred the people's right to home rule. With confidence in the intelligence of their legislators, they sign and forward the accompanying forms of protest.

THOS. EDWARDS, President.
F. W. BLAKE, Secretary.

REPORTS OF STANDING COMMITTEES.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 596—An Act to amend the Code of Civil Procedure, relating to contesting of elections by judicial recount of ballots cast.

Also: Senate Bill No. 461—An Act to amend certain sections of the Political Code, and to add nineteen new sections thereto, all in relation to elections.

Have had the same under consideration, and respectfully report the same back without recommendation.

VOORHEIS, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 81—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Judiciary Committee.

Also: Senate Bill No. 637—An Act making an appropriation for the payment of the salary of the Librarian of the Supreme Court for the remainder of the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass, because the office is not yet created.

Also: Senate Bill No. 587—An Act to provide for the establishment and maintenance of a training ship for the instruction of boys in nautical matters by the State of California, and to appropriate the sum of one hundred thousand dollars therefor.

Also: Senate Bill No. 744—An Act for the relief of Agnes Lynch, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back without recommendation.

VOORHEIS, Chairman.

Assembly Bill No. 81 re-referred to Committee on Judiciary.

ON BANKS AND BANKING.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Banks and Banking, to whom was referred Assembly Joint Resolution No. 4—Relative to the free and unlimited coinage of silver—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FLINT, Chairman.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Senate Bills Nos. 579, 352, 446, 577, 312, 192, 139, 764, 691, 636, 495, 724, 10, 158, 725, 541, 562, 245, 307, 308, 395, and 605—have had the same under consideration, and respectfully report a substitute for all said bills, and recommend that the substitute do pass.

EARL, Chairman.

By a unanimous vote of the Senate, the committee substitute was adopted and ordered printed.

The title of the substitute is as follows:

COMMITTEE SUBSTITUTE FOR SENATE BILLS Nos. 10, 139, 158, 192, 245, 307, 308, 312, 352, 395, 446, 495, 541, 562, 577, 579, 605, 636, 691, 725, 727, 764.

Introduced by Committee on County Government and Township Organization.
An Act to establish a uniform system of county and township governments.

Substitute bill ordered on first reading (urgency) file.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your sub-committee of the Committee on Commerce and Navigation, consisting of Senators Mahoney, Broderick, and Mitchell, beg leave to report that they visited the city of San Francisco, on March 5th, for the purpose of viewing the State property and the work now in course of construction under the control of the Board of State Harbor Commissioners, and especially the work contemplated under and in pursuance of Senate Bill No. 40 (introduced by Senator Fay), being that portion of the harbor embankment, or seawall, from the westerly terminus of Section B to the westerly line of Van Ness Avenue. Your committee also viewed that portion of the harbor front embracing Islais Creek Channel, the canal opening into South Basin, China, Central, South, India, and Dry Dock Basins, and Channel Street (Senate Bill No. 711, introduced by Senator Mahoney), having in contemplation the extension of the jurisdiction of the Board of State Harbor Commissioners (as far as the ebb and flow of tide water) in and over the land and premises hereinabove last set forth.

It is all-important that the said Board should have control and jurisdiction of the streets fronting on the bay of San Francisco, so as to permit it to make many needed improvements. As it is now, some of the streets and sidewalks are used as lumberyards by individuals, and those parts of the streets which are under the control of the city are in poor condition, while other portions of the city front under the jurisdiction of the Board are in excellent condition.

An additional need for an extension of the south end seawall is shown in the wretched condition of the city front driveway, between Beale and Brannan Streets, where there is constant danger to life, limb, and property through the city's failure to extend Brannan Street, either by filling in or planking. At present, the point of the hill cuts off any roundabout drive, and the only connection between the Mail Dock, and the crowded docks adjacent on the east, is by a planked drive (wide enough for but one team), that is full of holes, which only avoid breaking horses' legs by teamsters laying down loose planks.

In conclusion, we desire to say that the present Board of State Harbor Commissioners, consisting of Messrs. Bassett, Brown, and Alexander, is untiring in its efforts to protect and promote the State's interests, and that many of the improvements now added to such property, as they have jurisdiction over, are due to the efficiency and ability of those officers. We also desire to add our testimony to the conceded care and efficiency of Chief Engineer Howard C. Holmes.

Respectfully submitted.

MAHONEY,
MITCHELL,
BRODERICK,
Committee.

RESOLUTION.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the following-named, for the amounts set opposite their respective names, for mileage on account of the visit of the sub-committee on Commerce and Navigation to the bay of San Francisco:

| | |
|---------------------------------------|---------|
| J. H. Mahoney, 168 miles..... | \$16 80 |
| J. T. Broderick, 168 miles..... | 16 80 |
| T. F. Mitchell, 168 miles..... | 16 80 |
| J. F. O'Beirne, Clerk, 168 miles..... | 16 80 |

The same to be paid out of the Contingent Fund of the Senate.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of March, passed Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Also: Senate Bill No. 50—An Act to amend the Civil Code by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two of said Code, concerning the manner of conducting the business of hydraulic mining.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 5 and 50 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 595—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 595 referred to Committee on Irrigation and Water Rights.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of March, adopted Substitute for Assembly Constitutional Amendment No. 14, relating to railroad freights and fares.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

On motion of Senator Gesford, Assembly Constitutional Amendment No. 14 was made a special order for to-morrow, immediately after the reading of the Journal.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourth day of March, passed Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 101 ordered to enrollment.

NOTICE OF MOTION TO CHANGE RULES.

Senator Voorheis gave notice that on to-morrow he would move to amend Rule 1. by adding to said rule the following: After March 7, 1893, the time of meeting of the Senate shall be nine o'clock and thirty minutes A. M.

RESOLUTION.

By Senator Orr:

Resolved, That the Senate Pages be and are hereby granted leave of absence this evening between the hours of seven and nine o'clock, for the purpose of attending their banquet.

Adopted.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson.

Quorum present.

RESOLUTION.

By Senator Whitehurst:

Resolved, That the time in which bills may be introduced, as provided by the Constitution, is hereby suspended, and permission is hereby granted to introduce Senate Bill No. 782.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—33.

NOES—None.

INTRODUCTION OF BILL.

The following bill was introduced, and read by title:

By Senator Whitehurst: Senate Bill No. 782—An Act to amend an Act entitled "An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health," as approved March 3, 1893.

Senator McGowan moved that the bill be placed on file without reference to committee.

So ordered.

RESOLUTION.

By Senator Whitehurst:

Resolved, That Senate Bill No. 782 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section

requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Senate Bill No. 782 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—34.

NOES—None.

Senate Bill No. 782 ordered printed.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 138—An Act to amend an Act entitled “An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,” approved March 7, 1887, by amending section seventeen thereof.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—29.

NOES—Messrs. Arms and Harp—2.

Title read and approved.

LEAVE OF ABSENCE.

At one o'clock and forty-five minutes P. M., Senators Streeter and Hoyt were granted leave of absence for one hour.

ASSEMBLY AMENDMENTS CONCURRED IN.

Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled “An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities,” approved March 17, 1885.

The following Assembly amendments to Senate Bill No. 641 were read:

COMMITTEE AMENDMENT TO TITLE.

Change the figure “3,” in line one of the title, to the figures “24;” also, same line, the figures “24” to the figures “37;” also, in line four of the title, change the figures “17” to the figures “18.”

COMMITTEE AMENDMENT NO. 1.

Amend section one, line one, by striking out the word “the;” and line three, same section, by striking out the word “seventeenth” and inserting the word “eighteenth.”

COMMITTEE AMENDMENT NO. 2.

After the word “require,” line five, section two, strike out all the words to and including the word “therefor,” on line seven, section one.

COMMITTEE AMENDMENT NO. 3.

After the word “pools,” in line twelve, section one, insert the words “gutters, tunnels.”

COMMITTEE AMENDMENT No. 4.

Amend section one, line sixteen, page two, by inserting after the word "sewers," the following words: "with outlets."

COMMITTEE AMENDMENT No. 5.

After the word "purpose," line seventeen, page two of the printed bill, insert the following: "*provided*, that whenever the grade of a street, avenue, lane, alley, court, or place shall hereafter be changed, the petition of the owners of a majority of the feet fronting thereon, asking for grading the same to the new grade, shall be a condition precedent to the ordering of such grading to be done."

COMMITTEE AMENDMENT No. 6.

Strike out all of section two, pages two, three, and four.

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 641?"

The roll was called, and the Assembly amendments concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Ford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Wilson—27.
NOES—Messrs. Dunn and Mitchell—2.

ASSEMBLY AMENDMENT CONCURRED IN.

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

The following Assembly amendments were read:

Amend by inserting in line five, section one of printed bill, after the word "Commissioners," the words "a sworn statement showing."

Also, in line twelve, section one, by inserting after the word "weeks" the words "the cost of such publications to be paid pro rata out of said unclaimed deposits."

Also, by inserting in line thirteen, section one, after the word "affect," the words "the deposit made by or in the name of any person known to the said Cashier or Secretary to be living."

The question being, "Shall the Senate concur in the above Assembly amendments to Senate Bill No. 229?"

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—29.
NOES—None.

Senator Gesford, in accordance with notice given yesterday, moved a reconsideration of the vote whereby Senate Bill No. 207 was withdrawn from file.

The roll was called.

Before the vote was announced, Senator McGowan moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

MOTION.

Senator Orr moved to dispense with further proceedings under the call of the Senate.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the Senate refused to reconsider the vote whereby Senate Bill No. 207 was permitted to be withdrawn, by the following vote:

AYES—Messrs. Arms, Biggy, Burke, Earl, Fay, Flint, Gesford, McAllister, McGowan, Maher, Mahoney, Ostrom, Whitehurst, and Wilson—14.

NOES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Everett, Ford, Harp, Hart, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, and Williams—19.

LEAVE OF ABSENCE.

Senator Langford was granted indefinite leave of absence, on motion of Senator Ostrom.

The hour of two o'clock having arrived, the consideration of Assembly Bills by joint rules set for this hour was proceeded with.

SPECIAL ASSEMBLY FILE.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

Passed on file.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Passed on file.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

THIRD READING OF BILL.

Assembly Bill No. 403—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Read third time.

MOTION.

Senator McGowan moved that Assembly Bill No. 403 be recommitted to Senator Broderick, as a special committee of one, with instructions to amend as follows:

Amend by inserting on line thirty-nine, after the word "improvements," the following: "*provided, however, that no person shall be deemed guilty of a violation of the provisions of this Act who shall at any time kill or take any of the birds, game, or animals mentioned herein, for food for himself or his family.*"

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 403, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BRODERICK, Committee.

The roll was called, and the report of the committee rejected by the following vote:

AYES—Messrs. Broderick, Dunn, Earl, Everett, Fay, Ford, Gesford, Hart, McGowan, Maher, Mahoney, Martin, and Mitchell—13.

NOES—Messrs. Berry, Biggy, Burke, Carpenter, Denison, Flint, Harp, Hoyt, McAllister, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—20.

The question then being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, McAllister, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—28.

NOES—Messrs. Broderick, Dunn, Ford, Hart, McGowan, Mahoney, and Mitchell—7.

Title read and approved.

THIRD READING OF BILL.

Assembly Bill No. 402—An Act providing for appeals from orders of the Board of Supervisors forming or refusing to form reclamation or swamp land districts, setting off lands from such districts, or including lands in such districts, or consolidating swamp land or reclamation districts.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Harp, Hart, Hoyt, McAllister, Martin, Mathews, Mitchell, Orr, Seymour, Simpson, Whitehurst, Williams, and Wilson—24.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Read second time, and ordered to a third reading.

Senator Maher in the chair.

Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Passed on file, to retain its place, on motion of Senator Burke.

THIRD READING OF BILLS.

Assembly Bill No. 277—An Act entitled an Act to prevent the sale of short-weight rolls of butter.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Dunn, Earl, Everett, Fay, Flint, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Shippee, Simpson, Whitehurst, Williams, and Wilson—23.

NOES—Messrs. Burke, Carpenter, Denison, Harp, and Ragsdale—5.

Title read and approved.

Assembly Bill No. 193—An Act to provide for incorporation, operation, and management of coöperative associations.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Flint, Ford, Harp, Hart, Hoyt, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Simpson, Whitehurst, Williams, and Wilson—26.

NOES—Messrs. Burke and Shippee—2.

Title read and approved.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and sixteen, and three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Passed on file.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Passed on file.

Assembly Bill No. 477—An Act making an appropriation for the payment of the claim of A. L. Rhodes, for his services as counsel for

the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Whitehurst, and Williams—27.
NOES—None.

Title read and approved.

Substitute for Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Simpson, Whitehurst, Williams, and Wilson—29.
NOES—Senator Shippee—1.

Title read and approved.

Hon. J. B. Reddick, President of the Senate, in the chair.

Assembly Bill No. 847—An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor," approved March 19, 1889.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Fay, Hart, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—25.
NOES—Messrs. Biggy and Harp—2.

Title read and approved.

LEAVE OF ABSENCE.

At three o'clock P. M. Senator Ford was granted leave of absence for half an hour.

THIRD READING OF BILLS.

Assembly Bill No. 654—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Martin, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, Whitehurst, Williams, and Wilson—24.
NOES—None.

Title read and approved.

Assembly Bill No. 788—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Harp, Hart, Hoyt, McGowan, Maher, Martin, Orr, Ostrom, Ragsdale, Seymour, Streeter, Whitehurst, Williams, and Wilson—25.

NOES—Messrs. Gesford and Seawell—2.

Title read and approved.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Read third time.

CALL OF THE SENATE.

Before the vote was announced, Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

MESSRS. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that the absentees were Senators Mahoney and Voorheis.

MOTION.

Senator Simpson moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arms, Biggy, Campbell, Carpenter, Denison, Fay, Gesford, Harp, Martin, Seawell, Simpson, Streeter, and Wilson—13.

NOES—Messrs. Bailey, Broderick, Dunn, Earl, Everett, Hart, Hoyt, McAllister, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, and Williams—15.

MOTION.

At three o'clock and fifteen minutes P. M. Senator Seawell moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Harp and Martin—2.

NOES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Hart, Hoyt, McAllister, McGowan, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, Williams, and Wilson—28.

Senator Seawell moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Bailey, Berry, Campbell, Carpenter, Gesford, McAllister, Seawell, Shippee, Simpson, and Whitehurst—10.

NOES—Messrs. Broderick, Burke, Denison, Dunn, Earl, Everett, Flint, Hart, Hoyt, McGowan, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Streeter, Williams, and Wilson—19.

MOTION.

At three o'clock and eighteen minutes P. M. Senator Seawell moved to adjourn.

Lost.

RECESS.

At three o'clock and twenty minutes P. M. Senator Ostrom moved to take a recess for ten minutes.

So ordered.

REASSEMBLED.

At three o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Williams, and Wilson.

Quorum present.

Senator Hart moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President then announced the vote on the final passage of Assembly Bill No. 18, and declared it finally passed by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Dunn, Earl, Everett, Flint, Ford, Gesford, Hart, Hoyt, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Williams, and Wilson—22.

NOES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Denison, Fay, Harp, McAllister, Mathews, Simpson, Streeter, and Whitehurst—13.

Title read and approved.

COMMUNICATION.

The President announced that he had received the following communication:

SAN FRANCISCO, March 6, 1893.

Hon. J. B. REDDICK, President State Senate, Sacramento, California:

DEAR SIR: I have the honor to acknowledge the receipt of your letter of March 4th, inclosing copy of a resolution adopted by the Senate March 3d, calling upon the California World's Fair Commission for an itemized statement of all expenditures made and paid out of the three hundred thousand (\$300,000) dollars appropriated by the twenty-ninth session of the Legislature to pay the expenses of collecting and maintaining an exhibit of the products of California at the World's Columbian Exposition to be held in Chicago in 1893.

You will observe that the balance on hand is \$181,339 61, and with the exception of \$420 76 the entire amount is deposited in three of the city banks, which have been selected as Treasurers of the Commission. The object of withdrawing this money from the State Treasury is due primarily to the fact that the Commission did not feel free to enter into large contracts, unless it had actual possession of the money. The Controller at one time disputed the validity of the Act and our right to draw upon the treasury, hence our desire to carry on our work unhampered; and making advantageous contracts requires that the money be in our possession.

Furthermore, by an examination of the Act published in our annual report to the Governor, you will see that it gives to the Commission full power and control, and specially exempting us from the supervision of the Board of Examiners.

I now submit to you an estimate of expenditures yet to be made, which practically exhausts the appropriation:

| | |
|---|--------------------|
| There has been paid upon the building as per account..... | \$63,598 62 |
| There is a balance still to be paid, according to estimates, embracing balance on building contract, architect's fees, moneys due on elevator contract, tile roof contract, landscape gardening, extra carpenter work, sewer connections and permits, extra plumbing for the boiler house and cold storage, extra for plastering, electric lighting, insurance and fire protections, etc.: these items are mostly outside the original contract, and amount to..... | 52,648 15 |
| Estimated general expenses yet to be incurred in California | 15,000 00 |
| Estimated balance due on fish exhibit..... | 2,880 00 |
| Estimated furniture, etc., in Chicago..... | 5,662 50 |
| Estimated maintenance in Chicago | 40,933 24 |
| Estimated sundry expenses for each department: | |
| State Building and National Buildings..... | 18,711 65 |
| Estimated freight on entire exhibit | 40,500 00 |
| Sundries: | |
| Due on relief map..... | 500 00 |
| Due on forestry contract..... | 1,200 00 |
| Due on floral contract..... | 1,250 00 |
| Due on historical exhibit..... | 500 00 |
| | <hr/> \$179,785 54 |
| Balance on hand and in bank, as per statement rendered..... | \$181,339 61 |
| Balance due on contracts and estimates, as above | 179,785 54 |
| Surplus..... | <hr/> \$1,554 07 |

NOTE.—A balance sheet, being a duplicate of our own, showing in detail each month's expenditures and to whom paid, is filed on the first of every month by us in office of State Controller.

Yours respectfully,

JAS. D. PHELAN, Vice-President.

STATEMENT, FEBRUARY 28, 1893.

Receipts.

| | |
|---------------------------|--------------------|
| State appropriation | \$300,000 00 |
| Sale of badges..... | 220 00 |
| De Guerville Lectures: | |
| Alameda County..... | \$20 00 |
| Sacramento County..... | 20 00 |
| Marysville | 20 00 |
| | <hr/> 60 00 |
| | <hr/> \$300,280 00 |

Disbursements.

| | |
|--|-----------------|
| Fixtures account, office furniture, desks, safes, typewriters, etc..... | \$1,535 08 |
| Rent account, rent offices, from May 1, 1891, to date | 2,100 00 |
| Stationery account..... | 500 54 |
| Postage account..... | 684 05 |
| Telephones and telegrams..... | 687 48 |
| Payroll*— | |
| Thos. H. Thompson, Secretary and General Manager from April 1, 1892, to March 1, 1893..... | \$3,300 00 |
| John Craig, Assistant Secretary from May 1, 1891, to April 30, 1892 | 1,250 00 |
| Hester A. Harlan, Stenographer, fourteen and one third months, \$75 per month..... | 1,075 00 |
| J. R. Robinson, traveling expenses..... | 75 00 |
| A. J. Moulder, Financial Secretary, March 4, 1892, to January 31, 1893 | 1,560 00 |
| Julia K. Blanchard, Stenographer, \$50 per month..... | 276 00 |
| John Markley, Assistant Secretary from July 1, 1892, to January 31, 1893..... | 1,050 00 |
| T. C. Judkins, Secretary of Publicity from March 19, 1892, to March 1, 1893 | 1,710 00 |
| W. H. McNeil, Superintendent of Viticulture..... | 225 00 |
| F. E. Hawkins, Financial Secretary, one month..... | 75 00 |
| Percy A. Harris, Messenger..... | 13 33 |
| Maria Byrne, Copyist, \$25 per month..... | 64 17 |
| Clara Stockton, Stenographer, at \$40..... | 60 00 |
| | <hr/> 10,733 50 |

* NOTE.—Of the above thirteen, six (6) now employed.

| | | |
|---|------------|-----------|
| Miscellaneous office expenses..... | | \$770 98 |
| Miscellaneous printing..... | | 474 60 |
| Freight to Chicago..... | | 155 36 |
| Passage to and from Chicago, two trips:
Thomas H. Thompson, December, 1891, October, 1892..... | | 633 45 |
| Local passenger fares..... | | 94 77 |
| Construction of California Building, Chicago..... | | 63,589 62 |
| Department 1—Forest Products, Geology, Topography, etc.:
L. B. Hopkins, salary, one month..... | \$100 00 | |
| Thomas Hatch, account of contract..... | 2,700 00 | |
| | | 2,800 00 |
| Department 2—Mines and Mining:
J. H. Hammond, Superintendent, salary, ten months..... | \$1,500 00 | |
| J. A. Bidwell, traveling expenses..... | 65 00 | |
| Printing..... | 23 00 | |
| Freight and express..... | 10 22 | |
| Sundry expenses..... | 104 70 | |
| | | 1,702 92 |
| Department 3—Horticulture and Floriculture:
C. M. Wells, Superintendent, salary, six and one half months..... | \$975 00 | |
| Miss F. Butler, account of contract for flower exhibit..... | 1,250 00 | |
| Southern Pacific, mileage, 6,000 miles..... | 75 00 | |
| Traveling expenses, C. M. Wells—for advances to sundry
people..... | 215 45 | |
| Sundry expenses..... | 108 36 | |
| | | 2,623 81 |
| Department 5—Art and Education:
A. F. Mathews, traveling expenses..... | \$13 60 | |
| | | 13 60 |
| Department 6—Wines, Mineral Waters, Live Stock, and Fish:
A. F. LaMotte, contract (salary and material)..... | \$650 00 | |
| For fish receiver..... | 48 61 | |
| Charles H. Gilbert, traveling expenses..... | 182 45 | |
| W. W. Thornburn, traveling expenses..... | 59 30 | |
| D. S. Jordan, to pay traveling expenses in collecting fish..... | 450 00 | |
| S. F. Denton, fish casts..... | 620 00 | |
| Wells, Fargo & Co., transportation..... | 529 60 | |
| S. F. Denton, fish casts..... | 400 73 | |
| W. H. McNeil, Superintendent of Viticulture, salary, six
months..... | 900 00 | |
| W. H. McNeil, Chicago and return..... | 110 00 | |
| | | 3,950 69 |
| Printing..... | | 23 50 |
| Traveling expenses, W. H. McNeil..... | | 18 95 |
| Sundries..... | | 126 50 |
| Department 7—Agriculture:
N. J. Bird, Superintendent, salary, one and two thirds months..... | \$250 00 | |
| H. C. Dunn, Asst. Supt., salary and traveling expenses..... | 143 80 | |
| D. E. Gordon, grain exhibit..... | 31 00 | |
| Sundries..... | 20 50 | |
| | | 445 30 |
| Legal expenses.
E. W. McKinstry..... | \$500 00 | |
| Estee, Fitzgerald & M..... | 200 00 | |
| | | 750 00 |
| Commissioners' transportation, limited by law to \$2,000:
Department 1..... | | 1,500 00 |
| Department 2..... | | 1,500 00 |
| Department 3..... | | 1,500 00 |
| Department 4..... | | 1,500 00 |
| Department 5..... | | 1,500 00 |
| Department 6..... | | 1,500 00 |
| Department 7..... | | 1,500 00 |
| Allowance for expenses, Board Lady Managers:
District 1, Mrs. John S. Reed, salary and traveling expenses from May
1, 1892..... | | 631 50 |
| District 2, Virginia S. Bradley, salary and traveling expenses from May
1, 1892..... | | 582 05 |
| District 3, Amelia M. Marcellus, salary and traveling expenses from
May 1, 1892..... | | 575 00 |
| District 4, Ella S. Cummins, salary and traveling expenses from May 1,
1892..... | | 537 50 |
| District 5, Mrs. E. O. Smith, salary and traveling expenses from May 1,
1892..... | | 612 50 |
| District 6, Olive E. Cole, salary and traveling expenses from May 1, 1892..... | | 575 00 |

| | | |
|--|-------------|--------------|
| District 7, Flora M. Kimball, salary and traveling expenses from May 1, 1892 | | \$575 00 |
| Secretary Board Lady Managers, Hester A. Harlan, \$25 per month | 287 50 | |
| Sundry expenses, Board Lady Managers | 89 00 | |
| Exchange account, Crocker-Woolworth Bank | 26 25 | |
| Insurance on California Building, Chicago | 1,250 00 | |
| "Official Organ" account, California World's Fair Magazine | 1,010 00 | |
| Publicity and Promotion Account: | | |
| Issuing weekly bulletins, special advertising, etc. | 1,552 55 | |
| Jelly Exhibit | 1,633 21 | |
| Religious Exhibit: | | |
| A. J. Nelson, Superintendent, salary limited to | \$575 00 | |
| A. J. Nelson, traveling expenses | 180 20 | |
| Photographs, etc. | 108 60 | |
| A. J. Nelson, sundry expenses | 100 00 | |
| Sundry expenses | 36 75 | |
| | | 1,000 55 |
| Educational Exhibit: | | |
| C. W. Childs, traveling expenses | \$33 00 | |
| E. A. Wilson, salary, five and one half months | 220 00 | |
| C. H. Allen, Superintendent, salary, four and one fourth months | 637 50 | |
| C. H. Allen, traveling expenses | 36 95 | |
| W. S. Monroe, traveling expenses | 21 80 | |
| Earl Barnes, traveling expenses | 14 40 | |
| Southern Pacific Company, mileage | 19 25 | |
| Printing | 62 95 | |
| Sundries | 93 90 | |
| | | 1,139 75 |
| Relief Map of California: | | |
| W. D. Johnson, account contract | 1,500 00 | |
| Decoration of California Building, Chicago: | | |
| Flags, etc., for dedication in May | 204 00 | |
| Badge Fund | 30 00 | |
| Preliminary World's Fair Exhibit | 187 67 | |
| Sundry transportation | 26 66 | |
| Total disbursements | | \$118,940 39 |
| Cash in Crocker-Woolworth Bank | \$56,174 75 | |
| Cash in London, Paris, and American Bank | 62,478 58 | |
| Cash in First National Bank of San Francisco | 62,265 52 | |
| Cash in safe (office) | 200 76 | |
| Cash in safe (office), Badge Fund | 220 00 | |
| | | 181,339 61 |
| Total | | \$300,280 00 |

JAS. D. PHELAN, Vice-President.
Geo. W. ADE, Accountant.

SAN FRANCISCO, March 6, 1893.

Senator Ostrom moved that the communication and statement be printed in the Journal.

So ordered.

URGENCY FILE—SECOND READING OF BILL.

The hour of three o'clock and thirty minutes P. M. having arrived, the Senate proceeded to the consideration of urgency file, as per Senate rules.

Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out the word "seven" in line one, and insert in lieu thereof the word "two;" also, in same section, strike out the figures "7,500," in line one, and insert in lieu thereof the figures "2,500."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out the word "seven" in line two, and insert in lieu thereof the word "two;" also, in line three, section two, strike out the figures "7,500," and insert in lieu thereof the figures "2,500."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 572—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Passed on file, at request of Senator Maher, to retain its place.

RESOLUTION.

By Senator Shippee:

Resolved, That Assembly Bills Nos. 307 and 674 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills shall be read the first, second, and third times, and placed upon their passage.

The roll was called, and Assembly Bills No. 307 and 674 declared cases of urgency by the following vote:

AYES—Messrs. Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, Maher, Mahoney, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—None.

FIRST, SECOND, AND THIRD READING OF BILLS.

Assembly Bill No. 307—An Act to amend section one thousand two hundred and thirty-eight of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Everett, Flint, Ford, Gesford, Harp, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—30.

NOES—None.

Title read and approved.

Assembly Bill No. 674—An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of land in the City and County of San Francisco, known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Harp, Hoyt, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—None.

Title read and approved.

SECOND AND THIRD READING OF BILL.

Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-1893.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.
NOES—None.

Title read and approved.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 839 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage

The roll was called, and Assembly Bill No. 839 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, and Wilson—30.
NOES—None.

SECOND AND THIRD READING OF BILLS.

Assembly Bill No. 839—An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California, at the World's Columbian Exposition at Chicago, and appropriating money therefor.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Flint, Hart, Hoyt, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.
NOES—Messrs. Dunn, Fay, Gesford, Maher, and Mitchell—5.

Title read and approved.

Assembly Bill No. 245—An Act entitled an Act to pay the claim of Sands W. Forman, for services as Secretary of the State Board of Forestry, and appropriating the sum of three hundred and seventy-five dollars to pay such claim.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Hart, Hoyt, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—31.
NOES—None.

Title read and approved.

Senate Bill No. 772—An Act for the relief of Robert B. Young, for extra work done upon the administration and factory buildings of the

Reform School for Juvenile Offenders, at Whittier, and to make an appropriation for the same.

Read first and second times.

Senator Carpenter moved to amend, as follows:

Amend by striking out of the title, in line one, the words "for the relief of," and insert in lieu thereof the following: "to pay the claim of."

Adopted.

Also:

Amend by striking out of section one, lines three and four, the words "for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders, at Whittier."

Adopted.

Also:

Amend by striking out of the title, in lines one, two, and three, the words "for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders, at Whittier."

Adopted.

Senate Bill No. 772 ordered to print and engrossment as amended, and on file for third reading.

Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Ford, Gesford, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—Messrs. Biggy, Burke, Fay, and McAllister—4.

Title read and approved.

RECESS.

At four o'clock and twenty minutes P. M., on motion of Senator Broderick, the Senate took a recess.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Eliat, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson.

Quorum present.

RESOLUTION.

By Senator Berry:

Resolved, That the Assembly be requested to return to the Senate, Senate Bill No. 434, sent this day to the Assembly through error.

Adopted.

NOTICE OF RECONSIDERATION.

Senator Ostrom gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 369 was finally passed this day.

RESOLUTION.

By Senator Orr:

Resolved, That Substitute for Assembly Bill No. 543 be recalled from the Assembly for the purpose of reconsideration, and that the Assembly be respectfully requested to return the same.

So ordered.

NOTICE OF RECONSIDERATION.

Senator Orr gave notice that on to-morrow he would move to reconsider the vote whereby Substitute for Assembly Bill No. 543 was finally passed this day.

Senator Seawell moved to take up and consider Assembly Bill No. 365.
So ordered.

SECOND READING OF BILL.

Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

The following committee amendments were submitted:

That section four of said Act be stricken out, and in lieu thereof insert the following, to be numbered section four:

"SEC. 4. A compliance with the provisions of this Act shall be a full and complete settlement of all demands which the new county had against the old county or counties."

Adopted.

Also:

That a new section be added, as follows:

"SEC. 5. This Act shall take effect immediately."

Adopted.

Assembly Bill No. 365 read second time, ordered to print as amended, and on file for third reading.

REPORTS OF STANDING COMMITTEES.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 775—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Also: Senate Bill No. 776—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

Also: Senate Bill No. 652—An Act to amend section four thousand and eighty-five of the Political Code, relating to the improvement of innavigable streams, and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel."

Also: Senate Bill No. 218—An Act to amend section two hundred and twenty-four of the Civil Code, regarding the adoption of children.

Also: Senate Bill No. 134—An Act to create the county of Riverside, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties.

Also: Senate Bill No. 128—An Act to create the county of Modeno, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county.

Also: Senate Bill No. 96—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns and township buildings, in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 661—An Act to amend section three thousand six hundred and ninety-six of the Political Code, relating to the duties of the State Board of Equalization.

Also: Senate Bill No. 334—An Act to provide for the working of certain convicts upon the public roads in the State.

Also: Senate Bill No. 714—An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same.

Also: Senate Bill No. 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Also: Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

RAGSDALE, Chairman.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for the disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes, for the purposes of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by committee.

SEYMOUR, Chairman.

Senator Seymour moved that Assembly Bill No. 666 be now read the first time.

So ordered.

FIRST READING OF BILL.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes, for the purposes of this Act.

Read first time, and placed on file for second reading.

NOTICE OF RECONSIDERATION.

Senator Flint gave notice that he would on to-morrow move to reconsider the vote whereby Assembly Bill No. 18 was on this day finally passed.

Senator Orr moved that Senate Bill No. 731 be made a special order for consideration at nine o'clock P. M. this day.

So ordered.

LEAVE OF ABSENCE.

Senator Burke, on motion of Senator Mitchell, was granted a leave of absence for the balance of the day.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Passed on file.

Senate Bill No. 385—An Act to provide for incorporation, operation, and management of coöperative associations.

Passed on file.

Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Dunn, Everett, Fay, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—22.

NOES—Messrs. Carpenter, Denison, and Harp—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Voorheis gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 536 was on this day finally passed.

THIRD READING OF BILL.

Senate Bill No. 44—An Act to amend section six hundred and thirty-five of the Penal Code of the State of California, in relation to violations of the fish laws.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Mahoney, Martin, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 407—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Read third time.

Senator Maher moved that Senator Broderick be appointed a special committee of one to amend, as follows:

Amend by striking out of line two the word "innavigable," and inserting after the word "water," in said line, the following: "that are not connected with the tide waters."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 407—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation—with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BRODERICK, Committee.

Report of special committee of one and amendment adopted.

Bill ordered printed as amended, and on file still open to amendment.

THIRD READING OF BILL.

Senate Bill No. 43—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Mathews, Ragsdale, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—Senator Martin—1.

Title read and approved.

Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation therefor, and changing the time for the payment thereof.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ragsdale, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

On motion of Senator Everett, Senators Biggy and Williams were granted a leave of absence for the balance of the evening.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office, under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

RAGSDALE, Chairman.

SUBSTITUTION.

Senator Ford was granted unanimous consent to withdraw Senate Bill No. 385 (No. 32 on file), and to substitute therefor Senate Bill No. 598.

Senate Bill No. 385 withdrawn, and Senate Bill No. 598 substituted therefor on file, and ordered read a third time.

THIRD READING OF BILL.

Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the supervision of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office, subject to the approval and under the supervision of the Board of Trustees of the State Mining Bureau.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—25.
NAYS—None.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 426—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Passed on file, in absence of author.

Senate Bill No. 427—An Act requiring persons or corporations owning, controlling, or operating lines of street railways in cities, and cities and counties of this State having a population of over one hundred thousand inhabitants, to pay into the treasuries of such cities, and cities and counties, nine per centum of their gross receipts, for the improvement of parks and public squares.

SUBSTITUTION.

Senator Mahoney was granted unanimous consent to withdraw Senate Bill No. 427, and to substitute therefor Senate Bill No. 108.

Senate Bill No. 427 withdrawn, and Senate Bill No. 108 substituted therefor on file, and ordered read a second time.

Senate Bill No. 108—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Bill read second time, and ordered to engrossment and to a third reading.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 77—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Passed on file.

Senate Bill No. 368—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties.

The following committee amendment was submitted:

Amend the title of the bill by adding thereto the words: "having over one hundred thousand inhabitants;" and inserting the following, after the word "county," in section one, line two: "having one hundred thousand inhabitants."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 271—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Passed on file.

Senate Bill No. 322—An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election.

Senate Bill No. 321—An Act to attach a part of the territory comprising the county of San Diego to the county of San Bernardino.

Senator Seymour was granted unanimous consent to withdraw Senate Bills Nos. 322 and 321.

Senate Bills Nos. 322 and 321 withdrawn.

RECESS.

At eight o'clock and thirty minutes P. M. the President declared a recess for fifteen minutes.

REASSEMBLED.

At eight o'clock and forty-five minutes P. M. the Senate reassembled. Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

SUBSTITUTION AND WITHDRAWAL OF BILLS.

Substitute for Senate Bills Nos. 46, 88, 305, and 406—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

Senator Flint was granted unanimous consent to withdraw Substitute for Senate Bills Nos. 46, 88, 305, and 406 (No. 45 on file), and to substitute Senate Bill No. 781 therefor.

SECOND READING OF BILL.

Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor William Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Senator Flint moved to amend, as follows:

By striking out of section three, line one, the words "Board is," and inserting the following: "Directors are."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 561—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

Senator Seawell was granted unanimous consent to withdraw Senate Bill No. 561, and to substitute therefor Senate Bill No. 490.

Senate Bill No. 561 withdrawn, and Senate Bill No. 490 substituted therefor on file.

SECOND READING OF BILL.

Senate Bill No. 490—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby

for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Senator Seawell offered the following amendments:

AMENDMENT No. 1.

Amend section one, line fifty-three, by inserting the following after the word "thereof," on said line: "The expenses of giving said notice, and of the aforesaid proceeding, shall be paid by the person or persons giving said notice."

Adopted.

AMENDMENT No. 2.

Amend by striking out of section one, from the word "provided," on line sixty-five, to and including the word "irrigation," on line seventy-two, and inserting the following: "*provided*, that it shall be the duty of said Board to so order, upon petition therefor as aforesaid, that all lands so petitioned to be excluded from said district shall be excluded therefrom which cannot be irrigated from, or which are not susceptible to, or would not, by reason of being permanently devoted to uses other than agricultural, horticultural, viticultural, or grazing, be directly benefited by the actual irrigation of the same from a common source, or by the same system of works with the other lands of said district, or from the source selected, chosen, or provided, or the system adopted for the irrigation of the lands of said district, or which are already irrigated, or entitled to be irrigated from another source, or by another system of irrigation works; but no lands included within the limits of any city, or town, or which shall have been subdivided into town lots, or blocks, shall be excluded under the provisions of this Act, and no lands irrigated or entitled to be irrigated from another source, or by another system of irrigation works, shall be excluded under the provisions of this Act from any district organized before the passage of this Act."

Adopted.

AMENDMENT No. 3.

Amend by striking out of section one, line ninety-five, the word "for," and inserting the following: "of;" and also striking out the word "districts" and inserting "district."

Adopted.

AMENDMENT No. 4.

Amend by striking out of section one all of sections fourteen and fifteen on pages five, six, and seven of the printed bill.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 731—An Act to authorize the appointment of a Commission by the Governor for the purpose of selecting and suggesting a permanent site and location for an additional State Prison.

The following substitute was submitted:

SUBSTITUTE FOR SENATE BILL No. 731.

An Act to authorize the appointment of a Commission by the Governor for the purpose of reviewing the laws governing the penal institutions of this State, and regulating the discipline thereof, and of selecting and suggesting a permanent site and location for an additional State's Prison.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Within thirty days after the approval of this Act, his Excellency the Governor of the State of California shall appoint a Commission, consisting of seven members, three of whom shall be selected from the Board of State's Prison Directors, and four of whom shall be selected from those Senators whose terms of office do not expire until January, eighteen hundred and ninety-five, for the purpose of reviewing the laws governing the penal institutions of this State and regulating the discipline

therein, and for the purpose of suggesting a permanent site and location in the southern part of the State of California for a State's Prison; *provided*, that any location or site that may be selected by such Commission shall have water power that can be applied to machinery for such manufacturing purposes as may be or now are exercised and carried on in the State's Prison at San Quentin and Folsom, if such power can be obtained; and said Commissioners shall also consider the facilities afforded for water transportation.

SEC. 2. Such Commissioners shall report to his Excellency the Governor of the State of California, on or before the first day of December, A. D. eighteen hundred and ninety-four, such changes in the government and discipline of the penal institutions as may seem proper, and all the information that shall come under its examination and observation, pertaining to any location or site for such prison, together with the costs and expenses of such Commission; *provided*, that such costs and expenses shall not exceed the actual traveling mileage as provided for by the Political Code of the State of California; *provided further*, that any such cost and expenses shall not be paid or allowed until after the report herein provided for shall be made and presented to the said thirty-first session of the Legislature.

SEC. 3. This Act shall take effect and be in force from and after its passage.

Substitute adopted.

Bill read second time, and ordered to print and engrossment, and to a third reading.

RESOLUTION.

By Senator Ford:

Resolved, That Senate Bill No. 65 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Hart moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

At nine o'clock and fifteen minutes P. M. Senator Voorheis moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Denison, Maher, Mahoney, Martin, Orr, Seawell, Seymour, Shippee, and Voorheis—9.

NOES—Messrs. Berry, Broderick, Campbell, Carpenter, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Hart, McAllister, McGowan, Mitchell, Ragsdale, Simpson, Streeter, Whitehurst, Williams, and Wilson—21.

Senator Voorheis moved that further proceedings under the call be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the resolution was lost by the following vote:

AYES—Messrs. Arms, Broderick, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ragsdale, Seawell, Seymour, Streeter, and Williams—23.

NOES—Messrs. Bailey, Berry, Campbell, Denison, Gesford, Orr, Ostrom, Simpson, Voorheis, Whitehurst, and Wilson—11.

Senator Ford moved that the further consideration of this bill be made a special order for to-morrow, immediately after reading the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Broderick, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Hart, McAllister, Maher, Martin, Mitchell, Orr, Ragsdale, Streeter, and Williams—21.

NOES—Messrs. Berry, Harp, and Ostrom—3.

SENATE JOINT RESOLUTION.

By Senator Ostrom: Senate Joint Resolution No. 26—Asking Congress to cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or Goat Island, to be used by said State for general railroad terminal purposes.

Senator Ostrom moved that Senate Joint Resolution No. 26 be made a special order for to-morrow at eleven o'clock and fifty minutes A. M. So ordered.

Senator Maher moved to reconsider the vote whereby Senate Joint Resolution No. 26 was made a special order for to-morrow at eleven o'clock and fifty minutes A. M.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Broderick, Campbell, Dunn, Everett, McGowan, Maher, Mahoney, Orr, and Williams—9.

NOES—Messrs. Bailey, Berry, Carpenter, Denison, Earl, Fay, Flint, Gesford, Goucher, McAllister, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—22.

REPORTS OF STANDING COMMITTEES.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain Acts of the governing bodies thereof, relative to franchises, shall take effect—have had the same under consideration, and respectfully recommend that it be amended as follows: Section one, line eleven, after the word "exercise," strike out down to the word "such," line twelve. Strike out section two. Renumber the sections. And that it do pass as amended.

Also: Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARPENTER, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia in 1855—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum," and appropriating money therefor," approved February 29, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation—have

had the same under consideration. In view of the fact that the appropriations for the support of asylums for the insane in this State amount in the aggregate to an immense sum, and considering further that this bill increases the salary of the Treasurer of the Mendocino Asylum six hundred dollars per annum, the salary of the Medical Superintendent five hundred dollars per annum, the salary of the Assistant Physician five hundred dollars per annum, and also confers authority to create the office of additional Assistant Physician with a salary of two thousand five hundred dollars per annum, we do not feel justified in recommending its passage, and therefore report it back without recommendation.

Also: Senate Bill No. 203—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

VOORHEIS, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bill No. 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 4, abolishing the Railroad Commission—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

EARL, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 14—An Act to regulate the rate of interest in this State.

Also: Senate Bill No. 708—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, amended March 11, 1887, for the purpose of regulating the hours of labor of employes, laborers, and mechanics employed under any franchise or franchises granted by the State of California, or any political subdivision thereof, by amending sections three thousand two hundred and forty-six, three thousand two hundred and forty-seven, three thousand two hundred and forty-eight, three thousand two hundred and forty-nine, three thousand two hundred and fifty of said Code.

Also: Senate Bill No. 715—An Act to limit the hours of labor and regulate the employment of laborers and mechanics upon public works in the State of California, and prescribing penalties for violation of the Act.

Also: Senate Bill No. 458—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and amended February 8, 1889, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MAHER, Chairman.

RESOLUTION.

By Senator Broderick:

Resolved, That Hiram Clock be appointed Porter of room fifty-nine, and at a per diem of four dollars per day, the same to take effect from January 10, 1893, payable out of the Contingent Fund of the Senate, and the State Controller is hereby authorized to draw his warrant for the same, and the State Treasurer is hereby ordered to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION TO RECONSIDER.

Senator Flint moved to reconsider the vote whereby the title to Senate Bill No. 43 was approved.

Title reconsidered.

Senate Bill No. 43—An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws.

Senator Flint moved to amend, as follows:

By striking out of title, the words "and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws."

Title as amended approved, and bill ordered reëngrossed.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON AGRICULTURE, HORTICULTURE, VINICULTURE, AND VITICULTURE.

SENATE CHAMBER, SACRAMENTO, March 6, 1893.

MR. PRESIDENT: Your Committee on Agriculture, Horticulture, Viniculture, and Viticulture, to whom was referred Assembly Bill No. 513—An Act to prevent the spread of contagious or infectious diseases among domestic animals—have had the same under consideration, and respectfully report the same back, and recommend that it be amended by striking out the words in line four and five: "or who shall suffer such infected animals to be driven on the public highway."

Also: Assembly Bill No. 606—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SHIPPEE, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 473—An Act to increase the revenue by the taxation of incomes.

Also: Assembly Bill No. 81—An Act to amend section three thousand seven hundred and sixty-five, section three thousand seven hundred and seventy-three, section three thousand seven hundred and seventy-eight, section three thousand seven hundred and eighty, section three thousand seven hundred and eighty-one, section three thousand seven hundred and eighty-five, section three thousand seven hundred and eighty-eight, section three thousand eight hundred and sixteen, and section three thousand eight hundred and seventeen, and to repeal section three thousand seven hundred and seventy-four, section three thousand seven hundred and seventy-five, section three thousand seven hundred and seventy-six, section three thousand seven hundred and seventy-seven, section three thousand seven hundred and seventy-nine, section three thousand seven hundred and eighty-two, section three thousand seven hundred and eighty-three, section three thousand seven hundred and eighty-four, and section three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry, and bath house, and for the improvement of grounds, heating and cooking apparatus, and water supply to the Veterans' Home, situated in Napa County, under the auspices of the Veterans' Home Association of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that there are no constitutional objections to said bill.

Also: Senate Bill No. 745—An Act to add a new section to chapter twelve (XII) of title eleven (XI) of part three (III) of the Code of Civil Procedure of California, to be designated and known as section one thousand seven hundred and twenty-four (1724), and relating to the giving of notice of proceedings in the matter of estates and guardianships.

Also: Assembly Bill No. 581—An Act to amend section five hundred and one of the Civil Code, relating to street railways.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 104—An Act to amend sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, and one thousand six hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and three, relating to the election of School Trustees.

Also: Senate Concurrent Resolution No. 1.

Also: Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Also: Senate Bill No. 726—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Also: Senate Bill No. 328—An Act to amend section three thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.

Also: Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 662—An Act to promote the practical study of the sciences in the high schools of California.

Also: Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Also: Senate Bill No. 292—An Act to prohibit the employment of persons who are related by marriage or consanguinity within the third degree to the chief or other officers of any department of the government of the State of California.

Also: Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Also: Senate Constitutional Amendment No. 18—To propose to the people of the State an amendment to the Constitution of the State, relative to the Judiciary Department.

Also: Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

RAGSDALE, Chairman.

Senator Seawell obtained permission by unanimous consent to make Senate Bill No. 121 a special order for one o'clock and thirty minutes P. M., March 8, 1893.

On motion of Senator Maher, Senate Bill No. 162 (No. 381 on special order file) was reset as a special order for to-morrow, at one o'clock and thirty minutes P. M.

WITHDRAWAL AND SUBSTITUTION OF BILL.

Senator Earl moved to withdraw Senate Bill No. 248 (No. 49 on file), and to substitute in place thereof Senate Bill No. 646 (No. 199 on file).
So ordered.

ADJOURNMENT.

At nine o'clock and forty-five minutes P. M., on motion of Senator Goucher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 8, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gestford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

SPECIAL ORDERS—THIRD READING OF BILL.

Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Read third time.

On motion of Senator McGowan, the further consideration of Assembly Bill No. 280 was postponed, and made a special order for one o'clock and thirty minutes P. M. to-day.

POSTPONEMENT.

Senator Maher moved that the reconsideration of vote whereby Senate Bill No. 75 was refused final passage be made a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

MOTIONS.

Senator Ford moved that consideration of the Governor's message relative to Senate Bill No. 49 be indefinitely postponed.

So ordered.

Senator Ford moved that consideration of Senate Bill No. 65 be made a special order for to-morrow (Thursday), at one o'clock and thirty minutes P. M.

So ordered.

Senator Voorheis moved that the reconsideration of the votes whereby Senate Constitutional Amendment No. 5 and Senate Bill No. 133 were, on a previous day, adopted and refused final passage, respectively, be made special orders for to-morrow, immediately after the reading of the Journal.

So ordered.

Senator Whitehurst moved that the reconsideration of the vote whereby Senate Bill No. 138 was finally passed be set as a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

Senator Berry moved that the reconsideration of the vote whereby the enacting clause was stricken from Senate Bill No. 377 be reset as a special order for to-morrow, immediately after the reading of the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—35.

NOES—None.

LEAVE OF ABSENCE.

At ten o'clock and thirty minutes A. M., Senator Voorheis was granted a leave of absence for the morning session, and Senator Hart for one hour.

SUBSTITUTION.

Senator Gesford was granted unanimous consent to withdraw Senate Constitutional Amendment No. 13 (No. 10 on file), and to substitute therefor Assembly Constitutional Amendment No. 14 (No. 379 on file).

Senate Constitutional Amendment No. 13 withdrawn, and Senate Constitutional Amendment No. 14 substituted therefor on file.

Senator Flint, in accordance with notice given yesterday, moved to reconsider the vote whereby Assembly Bill No. 18 was passed on March 7, 1893.

Assembly Bill No. 18—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Burke, Carpenter, Denison, Fay, Flint, Hoyt, McAllister, Martin, Mathews, Mitchell, Orr, Seymour, Simpson, and Whitehurst—14.

NOES—Messrs. Arms, Bailey, Broderick, Campbell, Dunn, Earl, Gesford, Goucher, Harp, Hart, McGowan, Maher, Mahoney, Ostrom, Ragsdale, Streeter, Williams, and Wilson—18.

URGENCY FILE.

The hour of ten o'clock and thirty minutes A. M. having arrived, the Senate proceeded to consider bills on the urgency file.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay the same.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

The following committee amendment was submitted:

Amend by adding a new section as follows:

"SEC. 2. This Act shall take effect from and after its passage."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file, at request of Senator Carpenter.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

The following committee amendment was submitted:

Amend the first line of section one, printed bill, by striking out the word "three" and inserting the word "two."

Adopted.

Read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 326—An Act appropriating the sum of fifteen thousand dollars to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General in the name of the people of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

The following committee amendment was submitted:

Amend the Act so as to read as follows:

An Act appropriating the sum of ten thousand dollars to defray the costs and expenses, and for the employment of counsel therein, of suits and legal proceedings to be commenced and prosecuted in the name of the people of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of ten thousand dollars is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, to defray the necessary costs and expenses, including abstract of title, and for the employment of counsel therein, in suits and in all legal proceedings necessary to be commenced and prosecuted in the name of and by the people of the State of California against all persons, parties, and corporations claiming an interest therein, to quiet the title to and recover the possession of that certain real property and public highways, rights, and privileges, situated in Alameda County, known as the Oakland waterfront, and more particularly described in a certain Act of the Legislature, approved May fourth, eighteen hundred and fifty-two, entitled "An Act to incorporate the town of Oakland and to provide for the construction of wharves thereat," as all those certain lands, rights, and privileges therein mentioned lying between high tide and ship channel, and all those certain lands, rights, and privileges lying between high tide and ship channel, situated on the westerly side and on the southerly side of the city of Oakland; also, all of those certain lands, rights, and privileges known as the San Antonio Creek, with its bays and estuaries, and the lands upon which the same are situate, and also, all of those certain lands, rights, and privileges lying on the bay front of the city of Alameda between high tide and ship channel, and southerly from the property above referred to.

SEC. 2. The Controller is hereby authorized to draw his warrant for the amount herein made payable, upon bills to be certified by the Governor and allowed by the State Board of Examiners, and the State Treasurer is hereby directed to pay the same.

SEC. 3. It shall be the duty of the Governor to select the counsel to prosecute and conduct such suits and proceedings, and to see that the provisions of this Act are carried out with due diligence.

SEC. 4. No compromise or settlement of any said suits or proceedings shall be made, allowed, or permitted, or be valid, or binding on the State, but the same shall be prosecuted to final judgment, and in the event of any decision therein adverse to the State or its right or title to said lands by any intermediate Court, the same shall be taken, prosecuted, and appealed, and appealed therefrom, to the Courts of last resort.

SEC. 5. This Act shall take effect immediately.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Passed on file, at request of author.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Passed on file, in absence of author.

Senate Constitutional Amendment No. 13—To propose to the people of the State of California an amendment to the Constitution of the State, amending article four, relative to the "Judicial Department."

Withdrawn by Senator Gesford, and Substitute for Assembly Constitutional Amendment No. 14 substituted therefor on file.

SUBSTITUTE FOR ASSEMBLY CONSTITUTIONAL AMENDMENT No. 14.

A resolution proposing an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, its powers and duties, and adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. eighteen hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby propose that sections twenty-two and twenty-three of article twelve of the Constitution of the State of California be repealed, and that article four of said Constitution be amended by adding to said article a new section, to be numbered section thirty-six.

SECTION 1. Section twenty-two of article twelve of the Constitution of the State of California is hereby repealed.

SEC. 2. Section twenty-three of article twelve of the Constitution of the State of California is hereby repealed.

SEC. 3. Article four of the Constitution of the State of California is hereby amended by adding to said article a new section, to be numbered section thirty-six, said new section to read as follows:

Section 36. The Legislature shall have the power, and it shall be its duty, to establish rates of charges for the transportation of passengers and freight by all railroads operated or doing business in this State, as common carriers, and to enact such laws as may be necessary for the enforcement and carrying into effect of such rates; *provided, however,* that the Legislature shall have no power to prescribe rates of charges for the transportation of passengers on any railroad or system of railroads whose gross annual earnings are more than four thousand dollars a mile, to exceed three cents per mile; *and provided further,* that the Legislature shall have no power to prescribe the rates of charges for the transportation of freight on any railroad or system of railroads whose gross annual earnings are more than four thousand dollars a mile, to exceed the rates specified by the "California Distance Tariff," as in this section hereinafter set forth. Until the Legislature shall prescribe such rates as aforesaid, or in the event that any such prescribed rates shall from any cause become inoperative, the rates of charges for the transportation of passengers on all railroads in this State whose gross annual earnings are more than four thousand dollars a mile, shall be not to exceed three cents per mile, and the charges for the transportation of freight by any such railroads shall be not to exceed the rates specified in the following distance tariff, hereby designated as the "California Distance Tariff," to wit:

CALIFORNIA DISTANCE TARIFF.

This distance tariff shall be applicable to local traffic between all stations in the State of California now established or that may hereafter be established. The classifications of property provided for in this distance tariff are based upon the "Western Classification," and the rules governing the same adopted and issued by the Western Classification Committee, of which J. T. Ripley was Chairman, and which took effect January first, eighteen hundred and ninety-three, to which said classification reference is hereby made; *provided, however,* that no rule or rules governing said Western Classification, providing for any change, modifications, or additions to the classifications mentioned in this distance tariff shall have any application thereto.

| Distances. | Merchandise—Rate per 100 Pounds, in Cents. | | Carloads of Not Less than Minimum Named in Classification, nor More than Marked Capacity of Car—Rate per 100 Pounds, in Cents. | | Live Stock in Car loads. Rate per 100 Pounds, in Cents. | |
|--|--|--------------|--|--------------|---|---------|
| | First Class | Second Class | Third Class | Fourth Class | Fifth Class | Class A |
| 5 miles and under | 34 | 33 | 32 | 31 | 30 | 29 |
| 10 miles and over | 4 | 4 | 4 | 4 | 4 | 4 |
| 15 miles and over | 8 | 7 | 6 | 5 | 4 | 3 |
| 20 miles and over | 12 | 10 | 9 | 8 | 7 | 6 |
| 25 miles and over | 15 | 12 | 11 | 10 | 9 | 8 |
| 30 miles and over | 18 | 14 | 13 | 12 | 11 | 10 |
| 35 miles and over | 20 | 16 | 15 | 14 | 13 | 12 |
| 40 miles and over | 22 | 18 | 17 | 16 | 15 | 14 |
| 45 miles and over | 24 | 19 | 18 | 17 | 16 | 15 |
| 50 miles and over | 25 | 20 | 19 | 18 | 17 | 16 |
| 55 miles and over | 27 | 22 | 21 | 20 | 19 | 18 |
| 60 miles and over | 28 | 23 | 22 | 21 | 20 | 19 |
| 65 miles and over | 30 | 24 | 23 | 22 | 21 | 20 |
| 70 miles and over | 32 | 25 | 24 | 23 | 22 | 21 |
| 75 miles and over | 33 | 26 | 25 | 24 | 23 | 22 |
| 80 miles and over | 35 | 28 | 27 | 26 | 25 | 24 |
| 85 miles and over | 37 | 29 | 28 | 27 | 26 | 25 |
| 90 miles and over | 38 | 30 | 29 | 28 | 27 | 26 |
| 95 miles and over | 39 | 31 | 30 | 29 | 28 | 27 |
| 100 miles and over | 40 | 32 | 31 | 30 | 29 | 28 |
| 105 miles and over | 41 | 33 | 32 | 31 | 30 | 29 |
| 110 miles and over | 42 | 34 | 33 | 32 | 31 | 30 |
| 115 miles and over | 43 | 35 | 34 | 33 | 32 | 31 |
| 120 miles and over | 44 | 36 | 35 | 34 | 33 | 32 |
| 125 miles and over | 45 | 37 | 36 | 35 | 34 | 33 |
| 130 miles and over | 46 | 38 | 37 | 36 | 35 | 34 |
| 135 miles and over | 47 | 39 | 38 | 37 | 36 | 35 |
| Sheep (Single Deck Cars)..... | 5 | 5 | 5 | 5 | 5 | 5 |
| Cattle and Hogs (Single Deck Cars, as to Hogs) | 3 | 4 | 4 | 4 | 4 | 4 |
| Horses and Mules..... | 3 | 4 | 4 | 4 | 4 | 4 |
| Stone and Brick (common or pressed), Sand, Clay (common) | 21 | 21 | 21 | 21 | 21 | 21 |
| Barley, Rye, Oats, Corn, Mill Stuffs, and Chops | 21 | 21 | 21 | 21 | 21 | 21 |
| Wheat, Flour, Flaxseed, Castor Beans, Broom-corn Seed, and Beans | 21 | 21 | 21 | 21 | 21 | 21 |
| Coal..... | 21 | 21 | 21 | 21 | 21 | 21 |
| Salt, Lime, Cement, and Stucco..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Lumber, Lath, and Shingles | 3 | 3 | 3 | 3 | 3 | 3 |
| Class E..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Class D..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Class C..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Class B..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Class A..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Fifth Class..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Fourth Class..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Third Class..... | 3 | 3 | 3 | 3 | 3 | 3 |
| Second Class..... | 3 | 3 | 3 | 3 | 3 | 3 |
| First Class..... | 3 | 3 | 3 | 3 | 3 | 3 |

| | | | | | | | | | | | | | | | | | | |
|------------------------------|-----|----|----|----|----|----|----|----|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|----|----|
| 140 miles and over 135 miles | 48 | 39 | 34 | 28 | 23 | 25 | 18 | 14 | 11 | 8 | 11 | 12 | 8 | 10 | 9 | 7 ^{1/2} | 16 | 14 |
| 145 miles and over 140 miles | 49 | 39 | 34 | 28 | 23 | 26 | 19 | 14 | 11 | 9 | 9 | 12 | 13 | 8 | 10 | 7 ^{1/2} | 17 | 15 |
| 150 miles and over 145 miles | 50 | 40 | 35 | 29 | 24 | 26 | 19 | 15 | 11 | 9 | 12 | 13 | 8 | 10 | 9 | 7 ^{1/2} | 17 | 15 |
| 155 miles and over 150 miles | 51 | 40 | 35 | 29 | 24 | 26 | 19 | 15 | 11 | 9 | 12 | 13 | 8 | 11 | 10 | 7 ^{1/2} | 17 | 15 |
| 160 miles and over 155 miles | 52 | 41 | 36 | 30 | 25 | 27 | 20 | 15 | 11 | 9 | 12 | 13 | 8 | 11 | 10 | 8 | 18 | 16 |
| 165 miles and over 160 miles | 53 | 42 | 37 | 30 | 25 | 27 | 20 | 16 | 11 | 9 | 12 | 13 | 8 | 11 | 10 | 8 | 18 | 16 |
| 170 miles and over 165 miles | 54 | 43 | 38 | 31 | 26 | 28 | 21 | 16 | 12 | 10 | 13 | 14 | 8 ^{1/2} | 11 | 10 | 8 | 18 | 16 |
| 175 miles and over 170 miles | 55 | 44 | 39 | 32 | 27 | 29 | 22 | 17 | 12 | 10 | 13 | 14 | 8 ^{1/2} | 11 | 10 | 8 | 18 | 16 |
| 180 miles and over 175 miles | 56 | 44 | 39 | 32 | 27 | 29 | 22 | 17 | 12 | 10 | 13 | 14 | 8 ^{1/2} | 11 | 10 | 8 | 18 | 16 |
| 185 miles and over 180 miles | 57 | 45 | 40 | 33 | 28 | 30 | 22 | 17 | 12 | 10 | 13 | 14 | 8 ^{1/2} | 11 | 10 | 8 | 18 | 16 |
| 190 miles and over 185 miles | 58 | 46 | 40 | 33 | 28 | 30 | 23 | 18 | 12 | 10 | 13 | 14 | 8 ^{1/2} | 11 | 10 | 8 | 18 | 16 |
| 195 miles and over 190 miles | 59 | 47 | 41 | 34 | 29 | 31 | 23 | 18 | 13 | 11 | 14 | 15 | 9 | 12 | 11 | 9 | 20 | 18 |
| 200 miles and over 195 miles | 60 | 48 | 42 | 35 | 30 | 32 | 24 | 19 | 13 | 11 | 14 | 15 | 9 | 12 | 11 | 9 | 20 | 18 |
| 210 miles and over 200 miles | 62 | 50 | 43 | 36 | 31 | 33 | 25 | 20 | 14 | 12 | 15 | 16 | 9 ^{1/2} | 12 ^{1/2} | 11 ^{1/2} | 9 ^{1/2} | 21 | 19 |
| 220 miles and over 210 miles | 64 | 51 | 44 | 37 | 32 | 34 | 26 | 21 | 14 | 12 | 15 | 16 | 9 ^{1/2} | 12 ^{1/2} | 11 ^{1/2} | 9 ^{1/2} | 21 | 19 |
| 230 miles and over 220 miles | 65 | 52 | 45 | 38 | 33 | 35 | 27 | 21 | 15 | 12 | 16 | 16 | 10 | 13 | 11 | 9 ^{1/2} | 21 | 19 |
| 240 miles and over 230 miles | 66 | 53 | 46 | 39 | 34 | 36 | 28 | 22 | 15 | 13 | 16 | 17 | 10 | 13 | 12 | 10 | 22 | 20 |
| 250 miles and over 240 miles | 68 | 54 | 47 | 40 | 35 | 37 | 29 | 23 | 16 | 13 | 17 | 17 | 10 ^{1/2} | 13 ^{1/2} | 12 | 10 | 22 | 20 |
| 260 miles and over 250 miles | 69 | 55 | 48 | 41 | 36 | 38 | 30 | 24 | 16 | 13 | 17 | 17 | 10 ^{1/2} | 13 ^{1/2} | 12 | 10 | 22 | 20 |
| 270 miles and over 260 miles | 70 | 56 | 49 | 42 | 37 | 39 | 31 | 24 | 16 | 14 | 17 | 18 | 11 | 14 | 12 | 10 | 22 | 20 |
| 280 miles and over 270 miles | 72 | 58 | 50 | 43 | 38 | 40 | 31 | 25 | 17 | 14 | 18 | 18 | 11 | 14 | 12 | 10 | 23 | 21 |
| 290 miles and over 280 miles | 73 | 59 | 51 | 44 | 39 | 41 | 32 | 25 | 17 | 14 | 18 | 18 | 11 | 14 | 12 | 10 | 23 | 21 |
| 300 miles and over 290 miles | 75 | 60 | 52 | 45 | 40 | 43 | 33 | 26 | 18 | 15 | 19 | 19 | 12 | 15 | 13 | 11 | 24 | 22 |
| 310 miles and over 300 miles | 76 | 61 | 53 | 46 | 41 | 44 | 33 | 26 | 18 | 15 | 19 | 19 | 12 | 15 | 13 | 11 | 24 | 22 |
| 320 miles and over 310 miles | 78 | 62 | 54 | 47 | 42 | 45 | 34 | 27 | 18 ^{1/2} | 15 ^{1/2} | 20 | 19 ^{1/2} | 12 ^{1/2} | 15 | 13 | 11 | 24 | 22 |
| 330 miles and over 320 miles | 80 | 64 | 55 | 48 | 43 | 46 | 34 | 27 | 19 | 16 | 21 | 20 | 13 | 15 | 13 | 11 | 24 | 22 |
| 340 miles and over 330 miles | 81 | 65 | 56 | 49 | 44 | 47 | 35 | 28 | 19 | 16 | 21 | 20 | 13 | 15 | 13 | 11 | 25 | 22 |
| 350 miles and over 340 miles | 83 | 66 | 57 | 50 | 45 | 48 | 36 | 28 | 19 ^{1/2} | 16 ^{1/2} | 21 | 21 | 13 ^{1/2} | 15 ^{1/2} | 13 ^{1/2} | 11 | 25 | 22 |
| 360 miles and over 350 miles | 84 | 67 | 58 | 51 | 46 | 49 | 36 | 29 | 19 ^{1/2} | 16 ^{1/2} | 21 | 21 | 13 ^{1/2} | 15 ^{1/2} | 13 ^{1/2} | 11 | 26 | 23 |
| 370 miles and over 360 miles | 85 | 68 | 59 | 52 | 47 | 50 | 37 | 29 | 20 | 17 | 22 | 21 | 14 | 16 | 14 | 12 | 27 | 23 |
| 380 miles and over 370 miles | 87 | 70 | 60 | 53 | 48 | 51 | 38 | 30 | 20 ^{1/2} | 17 ^{1/2} | 22 | 22 | 14 | 16 | 14 | 12 | 27 | 23 |
| 390 miles and over 380 miles | 89 | 71 | 60 | 53 | 48 | 51 | 38 | 30 | 21 | 18 | 23 | 22 | 14 ^{1/2} | 16 ^{1/2} | 14 ^{1/2} | 12 ^{1/2} | 28 | 24 |
| 400 miles and over 390 miles | 90 | 72 | 61 | 54 | 49 | 52 | 39 | 31 | 21 | 18 | 23 | 22 | 15 | 16 ^{1/2} | 14 ^{1/2} | 12 ^{1/2} | 28 | 24 |
| 410 miles and over 400 miles | 91 | 73 | 61 | 54 | 49 | 52 | 39 | 31 | 21 | 18 | 23 | 23 | 15 | 17 | 15 | 13 | 29 | 24 |
| 420 miles and over 410 miles | 92 | 74 | 62 | 55 | 50 | 53 | 40 | 31 | 21 | 18 | 23 ^{1/2} | 23 | 15 | 17 | 15 | 13 | 29 | 24 |
| 430 miles and over 420 miles | 94 | 75 | 63 | 56 | 51 | 54 | 41 | 32 | 22 | 19 | 24 | 24 | 15 ^{1/2} | 18 | 16 | 13 ^{1/2} | 30 | 25 |
| 440 miles and over 430 miles | 95 | 76 | 63 | 56 | 51 | 54 | 41 | 32 | 22 | 19 | 24 | 24 | 15 ^{1/2} | 18 | 16 | 13 ^{1/2} | 30 | 25 |
| 450 miles and over 440 miles | 97 | 77 | 65 | 58 | 53 | 56 | 42 | 33 | 22 ^{1/2} | 19 ^{1/2} | 24 ^{1/2} | 25 | 16 | 18 ^{1/2} | 16 | 13 ^{1/2} | 31 | 25 |
| 460 miles and over 450 miles | 98 | 78 | 66 | 59 | 54 | 57 | 42 | 33 | 22 ^{1/2} | 19 ^{1/2} | 24 ^{1/2} | 25 | 16 | 18 ^{1/2} | 16 | 13 ^{1/2} | 31 | 25 |
| 470 miles and over 460 miles | 100 | 79 | 67 | 59 | 54 | 57 | 43 | 33 | 22 ^{1/2} | 19 ^{1/2} | 24 ^{1/2} | 25 | 16 | 18 ^{1/2} | 16 | 13 ^{1/2} | 32 | 26 |
| 480 miles and over 470 miles | 101 | 80 | 68 | 60 | 55 | 58 | 43 | 34 | 23 | 20 | 25 | 26 | 16 | 19 | 17 | 14 | 32 | 26 |
| 490 miles and over 480 miles | 102 | 81 | 68 | 60 | 55 | 58 | 43 | 34 | 23 | 20 | 25 | 26 | 16 | 19 | 17 | 14 | 32 | 26 |
| 500 miles and over 490 miles | 103 | 82 | 69 | 61 | 56 | 59 | 44 | 35 | 24 | 21 | 26 | 27 | 17 | 20 | 18 | 15 | 33 | 27 |
| 510 miles and over 500 miles | 104 | 83 | 70 | 62 | 57 | 60 | 44 | 35 | 24 | 21 | 26 | 27 | 17 | 20 | 18 | 15 | 34 | 28 |
| 520 miles and over 510 miles | 106 | 84 | 71 | 63 | 58 | 61 | 45 | 36 | 24 ^{1/2} | 21 ^{1/2} | 26 ^{1/2} | 27 ^{1/2} | 17 | 20 | 18 | 15 | 34 | 28 |

| Distances | Merchandise Rate per 100 Pounds, in Cents | | Cubombs of Not Less than Minimum Shipped in Pallets, not More than Marked Capacity of Car Rate per 100 Pounds, in Cents | | Live Stock in Car load Rate per 100 Pounds, in Cents | |
|------------------------------|---|--------------|---|--------------|--|--------------|
| | From St. Louis | To St. Louis | From St. Louis | To St. Louis | From St. Louis | To St. Louis |
| 530 miles and over 520 miles | 107 | 85 | 61 | 36 | 37 | 37 |
| 540 miles and over 530 miles | 108 | 86 | 62 | 37 | 37 | 37 |
| 550 miles and over 540 miles | 109 | 87 | 63 | 37 | 38 | 38 |
| 560 miles and over 550 miles | 110 | 88 | 64 | 38 | 38 | 38 |
| 570 miles and over 560 miles | 111 | 89 | 65 | 38 | 39 | 39 |
| 580 miles and over 570 miles | 112 | 90 | 66 | 39 | 39 | 39 |
| 590 miles and over 580 miles | 113 | 91 | 67 | 39 | 40 | 40 |
| 600 miles and over 590 miles | 114 | 92 | 68 | 40 | 40 | 40 |
| 610 miles and over 600 miles | 115 | 93 | 69 | 40 | 41 | 41 |
| 620 miles and over 610 miles | 116 | 94 | 70 | 41 | 41 | 41 |
| 630 miles and over 620 miles | 117 | 95 | 71 | 41 | 42 | 42 |
| 640 miles and over 630 miles | 118 | 96 | 72 | 42 | 42 | 42 |
| 650 miles and over 640 miles | 119 | 97 | 73 | 42 | 43 | 43 |
| 660 miles and over 650 miles | 120 | 98 | 74 | 43 | 43 | 43 |
| 670 miles and over 660 miles | 121 | 99 | 75 | 43 | 44 | 44 |
| 680 miles and over 670 miles | 122 | 100 | 76 | 44 | 44 | 44 |
| 690 miles and over 680 miles | 123 | 101 | 77 | 44 | 45 | 45 |
| 700 miles and over 690 miles | 124 | 102 | 78 | 45 | 45 | 45 |
| 710 miles and over 700 miles | 125 | 103 | 79 | 45 | 46 | 46 |
| 720 miles and over 710 miles | 126 | 104 | 80 | 46 | 46 | 46 |
| 730 miles and over 720 miles | 127 | 105 | 81 | 46 | 47 | 47 |
| 740 miles and over 730 miles | 128 | 106 | 82 | 47 | 47 | 47 |
| 750 miles and over 740 miles | 129 | 107 | 83 | 47 | 48 | 48 |
| 760 miles and over 750 miles | 130 | 108 | 84 | 48 | 48 | 48 |
| 770 miles and over 760 miles | 131 | 109 | 85 | 48 | 49 | 49 |
| 780 miles and over 770 miles | 132 | 110 | 86 | 49 | 49 | 49 |
| 790 miles and over 780 miles | 133 | 111 | 87 | 49 | 50 | 50 |
| 800 miles and over 790 miles | 134 | 112 | 88 | 50 | 50 | 50 |

RULES GOVERNING SHIPMENT OF LIVE STOCK BY THE CARLOAD.

MINIMUM WEIGHTS.—Horses and mules, cattle, hogs, and sheep shall be way-billed at the following minimum weights per car, subject to correction to actual weight at destination, but in no case less than the following minimum weights:

| | Horses and
Mules. | Cattle and
Hogs (S. D.) | Sheep (S. D.) |
|---|----------------------|----------------------------|---------------|
| Cars 27 feet 6 inches long, inside measurement..... | 17,700 | 16,800 | 10,000 |
| Cars 28 feet long, inside measurement..... | 18,000 | 17,100 | 10,200 |
| Cars 28 feet 6 inches long, inside measurement..... | 18,400 | 17,500 | 10,400 |
| Cars 29 feet long, inside measurement..... | 18,800 | 17,900 | 10,600 |
| Cars 29 feet 6 inches long, inside measurement..... | 19,000 | 18,000 | 10,800 |
| Cars 30 feet long, inside measurement..... | 19,400 | 18,400 | 11,000 |
| Cars 30 feet 6 inches long, inside measurement..... | 19,700 | 18,700 | 11,200 |
| Cars 31 feet long, inside measurement..... | 20,000 | 19,000 | 11,400 |
| Cars 31 feet 6 inches long, inside measurement..... | 20,300 | 19,300 | 11,500 |
| Cars 32 feet long, inside measurement..... | 20,600 | 19,600 | 11,700 |
| Cars 32 feet 6 inches long, inside measurement..... | 20,900 | 19,900 | 11,800 |
| Cars 33 feet long, inside measurement..... | 21,200 | 20,100 | 12,000 |
| Cars 33 feet 6 inches long, inside measurement..... | 21,600 | 20,500 | 12,200 |
| Cars 34 feet long, inside measurement..... | 21,800 | 20,700 | 12,300 |
| Cars 34 feet 6 inches long, inside measurement..... | 22,200 | 21,100 | 12,400 |
| Cars 35 feet long, inside measurement..... | 22,600 | 21,500 | 12,600 |
| Cars 35 feet 6 inches long, inside measurement..... | 22,900 | 21,800 | 12,800 |
| Cars 36 feet long, inside measurement..... | 23,200 | 22,000 | 13,000 |

ADDITIONAL RULES.

1. Railroads shall be considered independently in computing distances; *except, however*, that a system of railroads consisting of leased, operated, or independent roads controlled under a common management, although working under different charters, shall be considered and treated as one road, and the distances shall be computed over the shortest operated line composed of two or more of said roads.

2. When any rate herein named conflicts with the Western Classification aforesaid, this tariff shall govern as to such rate.

3. MINIMUM CHARGES.—Single shipments of one or more classes will be charged for at actual weight at tariff rates, subject to a minimum charge of twenty-five cents for the entire consignment or shipment for a distance of five hundred miles or less, and fifty cents for all distances over five hundred miles.

Substitute for Assembly Constitutional Amendment No. 14 read.

CALL OF THE SENATE.

Before the roll was called on the adoption of Substitute for Assembly Constitutional Amendment No. 14, Senator Gesford moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streefer, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that the absentees without leave were Senators Ford and Mitchell.

The Sergeant-at-Arms appeared at the bar of the Senate with Senator Ford, who was, on motion, excused.

Senator Ostrom moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The President directed the Sergeant-at-Arms to open the doors.

POSTPONEMENT.

Senator Ostrom moved that the special orders set for this hour, eleven o'clock and fifty minutes A. M., consideration of Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891—and Senate Joint Resolution No 26—Relating to ceding Goat Island—be postponed and made special orders for nine o'clock P. M. this day.

So ordered.

RECESS.

Pending discussion on Assembly Constitutional Amendment No. 14, the hour of twelve o'clock M. having arrived, the President declared a recess.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Gesford, Harp, Hart, McAllister, McGowan, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

Senator Gesford moved that Substitute for Assembly Constitutional Amendment No. 14 be set as a special order for further consideration immediately after the reading of the Journal on to-morrow.

So ordered.

SPECIAL ORDERS.

Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Read first time, and ordered on file for second reading.

Senate Bill No. 162—An Act to encourage fiber culture.

Passed on file temporarily, in absence of author.

Assembly Bill No. 280—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

The bill having been read a third time this morning, the question was on the final passage.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that the absentees were Senators Earl and Dunn.

On motion of Senator Simpson, further proceedings under the call were dispensed with.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the Senate refused the final passage of the bill by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Campbell, Hoyt, McGowan, Mahoney, Ragsdale, Voorheis, Williams, and Wilson—11.

NOES—Messrs. Berry, Burke, Carpenter, Denison, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, Maher, Martin, Mathews, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, and Whitehurst—24.

POSTPONEMENT.

On motion of Senator Gesford, the following special order set for this hour: Senate Constitutional Amendment No. 8—Proposing an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, its powers and duties, and adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares—was postponed, and made a special order for to-morrow, immediately after the reading of the Journal.

Senator Seawell moved that Senate Bill No. 121 be made a special order for consideration immediately after the reading of the Journal.

So ordered.

PRESENTATION OF PETITIONS.

By Senator Gesford:

NAPA, CAL., March 6, 1893.

To the honorable the Senate of the State of California:

We, the Official Board of the Centenary Methodist Episcopal Church, of Napa, hereby request and pray your honorable body to decline to pass any uniform license bill for the traffic in alcoholic beverages, believing that such a law would be unjust to those sections of the state where either prohibition or high license now prevails, and detrimental to the best interests of the whole State.

Respectfully,

S. E. HOLDEN,
D. A. HAYES,
W. T. COOK,
Committee.

Also:

NAPA, CAL., March 6, 1893.

To the Legislature of the State of California:

The undersigned committee, of the Young People's Society of Christian Endeavor (numbering seventy members), of the Centenary M. E. Church, of Napa, California,

appointed for the purpose, do, for and on behalf of said society and the families it represents, hereby most solemnly protest against the passage of any bill whatever looking to the establishment of a uniform rate of licenses to be charged by counties and municipalities for the sale of liquors and wines therein, and against the passage of any law whatever that will in any way abridge the right of the people, as it now exists, to regulate the sale of such liquors and wines within such counties and municipalities, and against any legislation whatever that will insure to the saloonkeeper any greater or further privileges or protection than he now enjoys.

As the representatives of a great commonwealth it would seem unnecessary to point out to you the reasons why such legislation would prove inimical to the moral growth of our fair State and a menace to the happiness of tens of thousands of her children. We therefore say to you: "Be men, and by your votes show that the State's moral welfare is a first consideration in all your acts as legislators."

O. R. COGHLAN,
S. H. WYCKOFF,
ETTA L. MILLER,
Committee.

PROTESTS.

By Senator Hoyt:

ELMIRA, SOLANO COUNTY, CAL., March 3, 1892.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties, and fifty towns, refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

WM. F. DILLAS, MARY DILLAS, and forty-two others.

By Senator Hart (by request):

ELK GROVE, SACRAMENTO COUNTY, February 27, 1893.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you as our representatives to use every possible means to defeat the measure.

The principle of local choice is imbedded in our customs. It is just that people be free to choose good and not compelled to espouse evil. Sutter and Lake Counties, and fifty towns, refuse license altogether, and we urge their right to do so, and we desire that that right be continued.

J. EVERSON, and sixty-eight others.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

By Senator Ford:

Resolved, That for and by reason of services rendered by E. Cowan in cleaning Senate committee-rooms, and furnishing Senators with clean towels, and taking care of toilet room, from the seventh day of January to the twenty-seventh day of February, inclusive, the State Controller is hereby directed to draw his warrant, and the State Treasurer is directed to pay the same, in favor of the said E. Cowan, in the sum of ninety-two (\$92) dollars, in payment of the same, being payable out of the appropriation for the contingent expenses of the Senate.

Forty-six days at two dollars per day equals ninety-two dollars.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

STREETER, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following account:

State of California v. Luke Kenneth De...

For reporting and transmitting testimony and proceedings taken before Senate Committee on Constitutional Amendments during the consideration of Constitutional Amendment No. 2.

| | |
|---|----------------|
| Two thousand one hundred and fifty dollars..... | \$450 00 |
| Nine per diems..... | 50 00 |
| | <hr/> \$500 00 |
| Less..... | 215 00 |
| | <hr/> \$285 00 |
| Total..... | \$285 00 |

The amendment being made in accordance with a resolution adopted in the Senate January 24th.

Have had the same under consideration, and respectfully report the same back amended and recommend the adoption of the following resolution.

Resolved, That the committee be and do hereby be directed to draw this warrant in favor of Luke Kenneth De for the sum of three hundred and five dollars the same to be paid out of the Contingent Fund of the Senate.

STREETER, Chairman.

AMENDMENT.

Senator McGowan moved to strike out of the committee's report the figures "\$5005." and insert in lieu thereof the following: "\$520."

Adopted.

The roll was called, and the report, as amended, adopted by the following vote:

AYES—Messrs. Bailey, Bunker, Campbell, Denison, Fay, Ford, Ford, Harp, Hart, McAllister, McAllister, Miller, Montgomery, Morris, Matthews, Orr, Seawell, Seymour, Simpson, Spencer, Whitcomb, Williams and Wilson—25.

NAYES—Messrs. Crocker and Hays—2.

Also.

SENATE CHAMBER, SACRAMENTO, March 7, 1892.

MR. PRESIDENT: Your Committee on Attaches, Contingent Expenses and Mileage to which was referred the following resolution:

Resolved, That all Messrs. Secretaries-at-Arms and Messengers of Senate committees, except Messrs. Secretaries-at-Arms and Porter of the Judiciary Committee and all committee clerks except the Chief Clerk of the Finance Committee, the clerks of the Judiciary Committee, clerk of committee on corporations and the clerk of the Committee on County, Incorporation and Licensing, respectively, be and the same are hereby discharged from this date, March 6, 1892.

Have discussed the same to date March 11th, and respectfully report the same back, and recommend that it be passed as amended.

STREETER, Chairman.

The question being on the adoption of the amendment of the committee, the same was adopted.

The roll was called, and the resolution, as amended, adopted by the following vote:

AYES—Messrs. Bailey, Bunker, Burke, Campbell, Denison, Fay, Ford, Gessford, Harp, Hart, McAllister, Miller, Montgomery, Morris, Orr, Hays, Seawell, Seymour, Simpson, Simpson, Streeter, Whitcomb, Williams and Wilson—26.

NAYES—Senator Atkins—1.

SPECIAL ASSEMBLY FILE.

The hour of two o'clock having arrived, the consideration of Assembly Bills by joint rules set for this hour was proceeded with.

Assembly Bill No. 9—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the serving of summons and complaint.

SUBSTITUTION.

Senator Seymour was granted unanimous consent to withdraw Assembly Bill No. 9 (No. 320 on file), and to substitute therefor Assembly Bill No. 666.

Assembly Bill No. 9 withdrawn, and Assembly Bill No. 666 substituted therefor on file.

SECOND READING OF BILL.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes for the purposes of this Act.

The following committee amendments were submitted :

COMMITTEE AMENDMENT NO. 1.

Amend by striking out of section four, line six, the words "other than bonds not yet due," and inserting in lieu thereof the following: "then due."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Earl, Everett, Fay, Goucher, Hart, Maher, Martin, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Williams, and Wilson—21.

NOES—Messrs. Carpenter and Harp—2.

COMMITTEE AMENDMENT NO. 2.

Amend section six, line two, by inserting the following after the word "be:" "including the bonds and all accrued interests thereon."

Adopted.

COMMITTEE AMENDMENT NO. 3.

Amend by striking out of section six, line three, the words "as hereinbefore provided."

Adopted.

COMMITTEE AMENDMENT NO. 4.

Amend section six, line eight, by inserting the following after the words "if any there may have been:" "including the bonds and all accrued interests thereon."

Adopted.

COMMITTEE AMENDMENT NO. 5.

Amend by striking out of section six, line nine, the words "as herein provided."

Adopted.

COMMITTEE AMENDMENT NO. 6.

Amend by striking out of section six, line ten, the words "filing said petition," and inserting the following: "the entry of such decree."

Adopted.

Bill read second time, ordered to print as amended, and to retain its place on the third reading file.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Assembly Bill No. 428—An Act to amend sections five hundred and twenty-seven, five hundred and thirty-one, and five hundred and thirty-two of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing.

Passed on file.

LEAVE OF ABSENCE.

At two o'clock and twenty minutes P. M. Senator Seymour was granted leave of absence for one hour.

SPECIAL ASSEMBLY FILE—(RESUMED)—FIRST READING OF BILLS.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and sixteen, and three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read first time, and placed on file for second reading.

President pro tem. R. B. Carpenter in the chair.

THIRD READING OF BILL.

Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

Read third time.

MOTION.

Senator Wilson moved that Assembly Bill No. 365 be recommitted to Senator Hart, as a special committee of one, with instructions to amend as follows:

SEC. 4. A compliance with the provisions of this Act shall be a full and complete settlement of all demands which the new county had against the old county or counties, except for commissions for levying and collecting State taxes, and for railroad taxes not heretofore collected, an equitable proportion of which shall belong to and be allowed any such new county when paid or collected.

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 365, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

HART, Committee.

The roll was called, and the report of the committee and amendment rejected by the following vote:

AYES—Messrs. Arms, Broderick, Everett, Hart, McGowan, Maher, and Wilson—7.

NOES—Messrs. Bailey, Biggy, Burke, Carpenter, Earl, Fay, Flint, Gesford, Goucher, Harp, McAllister, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, and Whitehurst—20.

The question then being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, McAllister, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—28.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe the Government.

Passed on file.

SECOND READING OF BILL.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

The following committee amendments were submitted:

COMMITTEE AMENDMENT TO TITLE.

Amend the title as follows: "Providing for the sale of railroad and other franchises in municipalities, and relative to granting of franchises."

Adopted.

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, lines one and two, the words "to furnish to consumers water, or gas, or electricity, for lighting, or for power."

Adopted.

COMMITTEE AMENDMENT No. 2.

Section one, line eleven, after the word "exercise," strike out down to the word "such," on line twelve.

Adopted.

COMMITTEE AMENDMENT No. 3.

Strike out section two.

Adopted.

COMMITTEE AMENDMENT No. 4.

Renumber the sections.

Adopted.

Bill read second time, ordered to print as amended, and to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reentry upon real property.

Read third time and re-referred to Committee on Judiciary, but to retain its place on file, on motion of Senator Ford.

SECOND READING OF BILLS.

Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police, and police officers, in cities in the State of California containing not less than ten thousand and not exceeding twenty-five thousand inhabitants.

Read second time, and placed on file for third reading.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read second time, and ordered placed on third reading file.

Assembly Constitutional Amendment No. 29—Proposing to the people of the State an amendment to section one of article thirteen of the Constitution, relative to exemptions from taxation.

Assembly Constitutional Amendment No. 29 read.

The roll was called, and the amendment declared lost by the following vote:

AYES—Messrs. Bailey, Ford, Gesford, Goucher, McGowan, Martin, Mathews, Ragsdale, Streeter, and Wilson—10.

NOES—Messrs. Biggy, Burke, Carpenter, Denison, Earl, Fay, Harp, Hoyt, McAllister, Seawell, Shippee, Simpson, and Whitehurst—13.

SECOND READING OF BILL.

Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property,

and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Read second time, and ordered on file for third reading.

THIRD READING OF BILL.

Assembly Bill No. 284—An Act for the relief of George Dougherty.

Read third time, and on roll call was refused final passage by the following vote.

AYES—Messrs. Campbell, Everett, and Hart—3.

NOES—Messrs. Arms, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Gesford, Goucher, Harp, Hoyt, McAllister, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—23.

FIRST READING OF BILLS.

Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Read first time, and ordered on file for second reading.

Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Read first time, and ordered on file for second reading.

SECOND READING OF BILLS.

Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Read second time, and ordered placed on file for third reading.

Assembly Bill No. 691—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Read second time, and ordered placed on file for third reading.

FIRST READING OF BILLS.

Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read first time, and ordered on file for second reading.

Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

Read first time, and ordered on file for second reading.

Assembly Bill No. 774—An Act to amend an Act entitled “An Act to establish a uniform system of county and township governments,” approved March 31, 1891, by amending sections fifty-seven, sixty, eighty, ninety-three, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-six, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-four, one hundred and fifty-five, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen thereof, and by repealing sections one hundred and six and one hundred and ten of said Act, and by renumbering sections one hundred and seven, one hundred and eight, and one hundred and nine of said Act, and designating them as sections one hundred and six, one hundred and seven, and one hundred and eight, respectively, and by adding two new sections to said Act, and numbering them sections one hundred and nine and one hundred and ten.

Read first time, and ordered on file for second reading.

Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled “An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes.”

Read first time, and ordered on file for second reading.

ASSEMBLY JOINT RESOLUTION No. 4.

Relating to the free and unlimited coinage of silver.

WHEREAS, Congress, by laws providing for free and unlimited coinage of silver, successfully maintained the value of the silver dollar upon a parity with gold from the beginning of our Government until eighteen hundred and seventy-three; and whereas,

the silver coined at the legal ratio of sixteen to one was, at the time of the demonetization of silver coinage in eighteen hundred and seventy-three, equal to a gold dollar in value; and whereas, the said demonetization of silver was brought about by secret agency, and without the knowledge of the great majority of the members of Congress; and whereas, the direct purpose of said demonetization of silver was to contract the currency and to enrich the money-lending classes of the world at the expense of the producing classes, by the lowering of prices of products and the maintaining of high rates of interest; and whereas, the effect of such demonetization of silver has been such as to keep rates of interest high, and to take much more of human produce to pay principal and interest upon indebtedness, thereby entailing enormously increased and unjust burdens upon producers for the benefit of money lenders; and whereas, the demonetization of silver coinage, by denying to silver bullion one of its former uses, has thrown it upon the market for mechanical uses only, thereby reducing the value of silver bullion so that English speculators in Indian produce can bring the products of India, especially wheat and cotton, into competition with such American products at from thirty to forty per cent cheaper than could be done otherwise; and whereas, the hundreds of millions of dollars lost annually by the producers of the United States, by reason of the demonetization of silver and the high rates of interest consequently prevailing, has resulted in such a vast mortgaged indebtedness as threatens the destruction of the producing and laboring interest, unless steps are taken to relieve the contraction of the currency and the evil hereinbefore recited; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring. That the Senators and Representatives in Congress from this State are hereby requested to use their utmost endeavors, by every proper means, to obtain at the earliest day possible the passage of an Act of Congress for the free and unlimited coinage of silver, at the legal ratio of sixteen to one; and be it

Resolved, That the Governor be requested to transmit to each of our Senators and Representatives in Congress a copy of this resolution.

The roll was called.

Before the vote was announced, Senator Goucher moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

MOTION.

Senator Campbell moved that further proceedings under the call of the Senate be dispensed with.

Lost.

Senator Ostrom having appeared on the floor of the Senate, and he being the only one reported absent, on motion of Senator Broderick, further proceedings under the call were dispensed with.

The Sergeant-at-Arms was directed to open the doors of the Senate.

The vote was then announced, and Assembly Joint Resolution No. 4 declared adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Everett, Fay, Ford, Gesford, Harp, Hoyt, McGowan, Martin, Ostrom, Seymour, Shippee, Simpson, Streeter, and Wilson—21.

NOES—Messrs. Bailey, Campbell, Goucher, Hart, McAllister, Mathews, Orr, Ragsdale, Seawell, Whitehurst, and Williams—11.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 701—An Act to create a State Advisory Highway Committee.

Also: Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Also: Senate Bill No. 467—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," as approved March 13, 1883, and amended March 19, 1889.

Also: Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Also: Senate Bill No. 644—An Act relating to the operation of railroads.

Also: Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Also: Senate Bill No. 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Also: Senate Bill No. 543—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Also: Senate Bill No. 557—An Act for the protection of fish.

RAGSDALE, Chairman.

URGENCY FILE.

The hour of three o'clock and thirty minutes having arrived, the Senate proceeded to the consideration of urgency file, as per Senate rules.

Senate Bill No. 572—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Passed on file, to retain its place.

SECOND READING OF BILL.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' " approved March 20, 1891, by amending sections one, eleven, and twelve.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line twenty-three, amended printed copy of February 17th, the word "counties," and insert in lieu thereof the word "county;" also, in same line, strike out the words "Tulare and."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend section one, amended printed copy of February 17th, by adding to said section the following: "The county of Tulare shall constitute Agricultural District No. 43."

Adopted.

Bill ordered printed as amended, and on file for third reading.

THIRD READING OF BILL.

Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Orr, Seawell, Seymour, and Williams—22.

NOES—Messrs. Berry, Burke, Fay, Flint, Gesford, McGowan, Ostrom, Ragsdale, Streeter, Whitehurst, and Wilson—11.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Everett gave notice that on to-morrow he would move to reconsider the vote whereby Senate Bill No. 141 was finally passed.

Senate Bill No. 188—An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies.

WITHDRAWAL OF BILL.

Senator Campbell was granted unanimous consent to withdraw Senate Bill No. 188.

RESOLUTION.

By Senator Campbell:

Resolved, That Substitute for Senate Bill No. 418 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and the Senate refused to suspend the constitutional provision by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Fay, Harp, Hoyt, McGowan, Maher, Ostrom, Ragsdale, Voorheis, Whitehurst, and Williams—17.

NOES—Messrs. Burke, Everett, Goucher, Hart, and Mathews—5.

THIRD READING OF BILL.

Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Maher, Martin, Mathews, Orr, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

THIRD READING OF BILL.

Senate Bill No. 292—An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any department of the government of the State of California.

Read third time.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arms, Broderick, Hart, Hoyt, Maher, Mahoney, Seawell, and Wilson—8.
NOES—Messrs. Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, McAllister, Martin, Mathews, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—27.

THIRD READING OF BILL.

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Carpenter, Denison, Everett, Fay, Flint, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, and Wilson—26.
NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Burke gave notice that he would on to-morrow move a reconsideration of the vote whereby Senate Bill No. 759 was this day finally passed.

Senator Everett asked unanimous consent to withdraw his notice of reconsideration of the vote whereby Senate Bill No. 141 was this day finally passed.

Withdrawal consented to.

THIRD READING OF BILLS.

Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Flint, McGowan, Maher, Martin, Mathews, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—24.
NOES—Messrs. Dunn, Fay, and Seymour—3.

Title read and approved.

Senate Bill No. 748—An Act to amend section seven hundred and sixty-four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, McAllister, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—25.
NOES—None.

Title read and approved.

Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Passed on file.

Senate Bill No. 772—An Act for the relief of Robert B. Young for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders, at Whittier, and to make an appropriation for the same.

Passed on file.

FIRST, SECOND, AND THIRD READING OF BILL.

Senate Bill No. 782—An Act to amend an Act entitled "An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health," as approved March 3, 1893.

Read the first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, Maher, Martin, Mathews, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—31.
NOES—None.

Title read and approved.

MOTION.

On motion of Senator Ostrom, the following special orders set for consideration to-day, viz.: Senate Bill No. 323 and Senate Bill No. 369, were reset as special orders for to-morrow, immediately after the reading of the Journal.

Senator Wilson gave notice that on to-morrow he would move a reconsideration of the vote whereby Assembly Bill No. 284 was this day refused final passage.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up, read, and considered, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 116 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, refused to reconsider, and ordered immediately transmitted to the Senate, Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 239 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 216—An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estates of deceased persons, to be known as section one thousand six hundred and seventy.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 216 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 585—An Act to amend section one thousand five hundred and two of the Political Code, respecting Normal Schools.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senator Ford moved that Assembly Bill No. 585 be placed on the special Assembly file, without reference.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendment to Assembly Bill No. 138—An Act to amend an Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes, approved March 7, 1887, amending section seventeen thereof.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, in accordance with the request of the Senate made this day, herewith returns Committee Substitute for Assembly Bill No. 543—An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of March, passed Assembly Bill No. 56—An Act to provide for the organization and government of districts already supplied with water for domestic and irrigation purposes, or either, and to provide for the acquisition of additional supplies of water when necessary, and to provide for the regulation and use of such water.

Also: Assembly Bill No. 729—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 56 referred to Committee on Irrigation and Water Rights.

Assembly Bill No. 729 read first time and ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of March, 1893, passed Committee Substitute for Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Also: Committee Substitute for Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

Also: Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 463, and Committee Substitute for Senate Bill No. 239, Committee Substitute for Senate Bill No. 232, and Committee Substitute for Senate Bill No. 231 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, in accordance with the request of the Senate made this day, herewith returns Committee Substitute for Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 139—An Act to provide for the leasing and disposition of water for mechanical and other purposes by irrigation districts organized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Also: Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 139 referred to Committee on Irrigation and Water Rights.

Assembly Bill No. 349 referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendments to Assembly Bill No. 117—An Act to provide for the planting, maintenance, and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof; also, for the eradication of certain weeds within city limits.

Also: In the Senate amendments to Assembly Bill No. 426—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Also: Senate Bill No. 638—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Also: Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Also; Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Also: Amended and passed as amended, Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 627, 658, 445, and 492 each ordered to enrollment.

ASSEMBLY AMENDMENTS CONCURRED IN.

On motion of Senator Denison, the Senate concurred in the Assembly amendments to Senate Bill No. 22 by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Harp, Hoyt, McAllister, Maher, Orr, Ostrom, Ragsdale, Seawell, Shippee, Voorheis, Whitehurst, and Wilson—21.
NOES—Senator Goucher—1.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 772—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 772 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Substitute for Senate Bill No. 137—An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Substitute for Senate Bill No. 137 ordered to enrollment.

SUBSTITUTION.

Senator Ragsdale was granted unanimous consent to withdraw Senate Bill No. 424 (No. 125 on file), and to substitute therefor Assembly Bill No. 216, they being identical bills.

The history of Senate Bill No. 424 is as follows: Bill read first time. Senate Bill No. 424 withdrawn, and Assembly Bill No. 216 substituted therefor on Assembly file as read first time.

RESOLUTION.

By Senator Voorheis:

Resolved, That the time in which bills may be introduced, as provided by the Constitution, is hereby suspended, and permission is hereby granted to introduce Senate Bills Nos. 783 and 784.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Ford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—32.
NOES—None.

INTRODUCTION OF BILLS.

By Senator Voorheis: Senate Bill No. 783—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Read first time, and ordered placed at the head of urgency file.

Also: Senate Bill No. 784—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

Read first time, and ordered placed at the head of urgency file.

RECESS.

At five o'clock and ten minutes P. M., on motion of Senator Broderick, the Senate took a recess.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 671—An Act to amend section one thousand and eighty-three of the Political Code of the State of California, defining the qualifications and disabilities of electors.

Also: Senate Bill No. 555—An Act to amend section seven hundred and twenty-six of the Code of Civil Procedure, and to add a new section thereto, to be known as section seven hundred and twenty-nine, relating to actions for the foreclosure of mortgages.

Also: Senate Bill No. 40—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the port of San Francisco.

Also: Senate Bill No. 538—An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876.

Also: Senate Bill No. 101—An Act making an appropriation to pay the claim of D. Jordan, as approved by the State Board of Examiners.

Also: Senate Bill No. 50—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding thereto two sections, to be known as sections one thousand four hundred and twenty-four and one thousand four hundred and twenty-five, being title nine, part four, division two, of said Code, concerning the manner of conducting the business of hydraulic mining.

Also: Senate Bill No. 332—An Act to authorize the acquisition by donation of a site or sites for camps of instruction for the National Guard of the State of California, and to improve the same.

Also: Senate Bill No. 354—An Act to create a special commission for the purpose of examining and reporting to the thirty-first session of the Legislature on the Torrens Land Transfer Act of Australia, and making an appropriation therefor.

Also: Senate Bill No. 342—An Act to amend section one thousand two hundred and sixty-one of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families.

Also: Senate Bill No. 35—An Act to provide and regulate the manner of receiving and paying fees, commissions, percentages, and other compensation for official services, in cities, and cities and counties, having a population of over one hundred thousand inhabitants, and prescribing the duties of officers with reference thereto.

Also: Senate Bill No. 38—An Act to appropriate money to institutions supporting and maintaining aged persons in indigent circumstances afflicted with incurable diseases.

Also: Senate Bill No. 96—An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor.

Also: Senate Bill No. 230—An Act to reinstate and reenact section three thousand five hundred and seventy-three of the Political Code, relating to public lands.

Also: Substitute for Senate Bill No. 157, etc.—An Act to amend sections two thousand six hundred and thirty-three, two thousand six hundred and forty-one, two thousand six hundred and forty-three, and two thousand six hundred and forty-five, and to repeal section two thousand six hundred and forty-six of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers.

Also: Senate Bill No. 504—An Act to amend section six hundred and thirty-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor.

Also: Senate Bill No. 405—An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino.

Also: Senate Bill No. 5—An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor.

Also: Senate Bill No. 669—An Act to amend section five hundred and thirty-seven of the Penal Code, and to add a new section thereto, to be known and designated as section five hundred and thirty-eight, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels.

RAGSDALE, Chairman.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 434—An Act regulating the sale of lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Passed on file, at request of author.

Senate Bill No. 104—An Act to amend sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, and one thousand six hundred and two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and three, relating to the election of School Trustees.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Goucher, Harp, Hoyt, McAllister, Maher, Mathews, Orr, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—22.

NOES—None.

Title read and approved.

Senate Bill No. 328—An Act to amend section two thousand six hundred and seven of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments.

Read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Orr, Ragdale, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—26.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Earl, Senate Bill No. 328 was ordered immediately transmitted to the Assembly.

SECOND READING OF BILLS.

Senate Bill No. 426—An Act to provide for the payment to the State of California by fire, marine, accident, or life, or other insurance companies doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of one per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax.

Passed on file, in absence of author.

Senate Bill No. 77—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Passed on file.

Senate Bill No. 271—An Act to form San Antonio County, classify it, define its boundaries, provide for its organization, and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties.

Passed on file.

Senate Bill No. 459—An Act to amend section one thousand four hundred and one, and to repeal section one thousand four hundred and two of the Civil Code of the State of California, relating to community property.

Passed on file.

Senate Bill No. 91—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California.

Passed on file.

Senate Bill No. 646—An Act entitled an Act to forbid the manufacture and sale of cigarettes within the State of California.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 325—An Act to add a new section, to be known as section eight hundred and two of the Political Code, in regard to powers and duties of Notaries Public.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 190—An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Passed on file.

Senate Bill No. 189—An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers.

Passed on file.

Senate Bill No. 129—An Act to amend an Act entitled "An Act to repeal sections six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, and six hundred and forty-seven of title sixteen, of part four, division one,

of the Civil Code, and to add seventeen new sections to said Civil Code, to be known and numbered as sections six hundred and thirty-three, six hundred and thirty-four, six hundred and thirty-five, six hundred and thirty-six, six hundred and thirty-seven, six hundred and thirty-eight, six hundred and thirty-nine, six hundred and forty, six hundred and forty-one, six hundred and forty-two, six hundred and forty-three, six hundred and forty-four, six hundred and forty-five, six hundred and forty-six, six hundred and forty-seven, six hundred and forty-eight, and six hundred and forty-eight and one half, providing for the formation and government of mutual building and loan associations," approved March 31, 1891.

SUBSTITUTION.

Senator Simpson was granted unanimous consent to withdraw Senate Bill No. 129, and to substitute therefor Senate Bill No. 697.

Senate Bill No. 129 withdrawn, and Senate Bill No. 697 substituted therefor on file, and ordered read second time.

SECOND READING OF BILLS.

Senate Bill No. 697—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

Read second time, and held open to amendment, to retain its place on file.

Senate Bill No. 454—An Act creating a Board of Commissioners of Loan Associations, and prescribing their duties and powers.

Passed on file.

Senate Bill No. 508—An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation.

Senator McGowan moved to amend, by striking out of section one, line one, the word "pastoral."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

MOTION.

Senator Voorheis moved that the consideration of Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages, set-off, or counter claims, or the absence of such employé at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same—be made a special order for Friday, at nine o'clock P. M.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 264—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 69—An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties of this State.

SUBSTITUTION.

Senator McAllister was granted unanimous consent to withdraw Senate Bill No. 69, and to substitute therefor Senate Bill No. 745.

Senate Bill No. 69 withdrawn, and Senate Bill No. 745 substituted therefor on file, and ordered read first time.

FIRST READING OF BILL.

Senate Bill No. 745—An Act to add a new section to chapter twelve, of title eleven, of part three, of the Code of Civil Procedure of California, to be designated and known as section one thousand seven hundred and twenty-four, and relating to the giving of notice of proceedings in the matter of estates and guardianships.

Read first time, and placed on file for second reading.

Senate Bill No. 524—An Act entitled an Act concerning municipal corporations.

SUBSTITUTION.

Senator Earl was granted unanimous consent to withdraw Senate Bill No. 524, and to substitute therefor Senate Bill No. 362.

Senate Bill No. 524 withdrawn, and Senate Bill No. 362 substituted therefor on file, and ordered read second time.

SECOND READING OF BILL.

Senate Bill No. 362—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges.

Read second time, and ordered to engrossment and to a third reading.

MOTION.

Senator Hart moved to postpone further consideration of Substitute for Assembly Bill No. 396 until to-morrow morning, immediately after reading of the Journal, as a special order.

So ordered.

SECOND READING OF BILL.

Senate Bill No. 482—An Act regulating the location of manufactories for the making of giant powder, gun powder, blasting powder, or any explosive substance, the storage of explosives, and providing a penalty therefor.

Read second time.

Senator Burke moved to strike out the enacting clause.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced Senator Everett moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

The Secretary announced that the only absentees were Senators Bailey and Hoyt.

MOTION.

Senator Ostrom moved to dispense with further proceedings under the call of the Senate.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the Senate refused to strike out the enacting clause, by the following vote:

AYES—Messrs. Carpenter, Dunn, and Martin—3.

NOES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McGowan, Maher, Mahoney, Mathews, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Williams, and Wilson—27.

The bill was then ordered to engrossment and to a third reading.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Concurrent Resolution No. 10—Relative to adjournment *sine die*.

Also: Senate Constitutional Amendment No. 20—An Act to submit to the people of the State of California an amendment to section twenty-three of article four of the Constitution of the State of California.

Also: Senate Constitutional Amendment No. 21—An Act to submit to the people of the State of California an amendment to section two (2) of article four (4) of the Constitution of the State of California.

Also: Senate Bill No. 772—An Act to pay the claim of Robert B. Young, and to make an appropriation for the same.

Also: Senate Bill No. 128—An Act authorizing the incurring of indebtedness and issuance of bonds by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, buildings, breakwaters,

seawalls, embankments, and all necessary public improvements, or for the purchase of land for necessary public use, or for any purpose whatever, and to repeal all portions of Acts in conflict therewith; *providing*, that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced.

Also: Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Also: Senate Concurrent Resolution No. 9—A resolution relative to proceedings of Blaine memorial.

Also: Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor William Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Also: Senate Bill No. 453—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to street railroad corporations.

Also: Senate Bill No. 108—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Also: Senate Bill No. 56—An Act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery.

Also: Senate Bill No. 693—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

RAGSDALE, Chairman.

GENERAL FILE—(RESUMED)—SECOND READING OF BILLS.

Senate Bill No. 413—An Act to amend section one thousand seven hundred and five of the Code of Civil Procedure of the State of California.

Passed on file.

Senate Bill No. 414—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Passed on file.

Senate Bill No. 415—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Passed on file.

Senate Bill No. 416—An Act to amend section one thousand three hundred and three of the Code of Civil Procedure of the State of California.

Passed on file.

Senate Bill No. 466—An Act for the relief of Patrick Creighton.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 436—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board.

The following committee amendment was submitted:

All that portion of section one, in lines five and six, following the word "engineers," in line five, is hereby stricken out.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 361—An Act for the relief of J. F. Chapman & Co., for damages sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 265—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 266—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 537—An Act to amend section five hundred and seventy-five of the Civil Code of the State of California, relating to making and drawing deposits and dividends in savings and loan corporations.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 130—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 499—An Act to amend section one thousand and thirty-two of the Political Code, relating to public records.

Passed on file.

Senator Simpson called up Senate Bill No. 697, passed on file, for amendment.

Senate Bill No. 697—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

Senator Simpson moved to amend section eighteen by adding the following:

All money received or disbursed by such associations shall be duly accounted for to the shareholders and to the Commissioners of Building and Loan Associations.

Adopted.

Senator Simpson moved to amend, by adding a new section after section eighteen, to be known as section nineteen:

SEC. 19. Stockholders desiring to withdraw from any association, or to surrender a part or all of their stock, shall have power to do so by giving thirty days' notice, in writing, of such intention to withdraw. On the expiration of such notice, the stockholders thus withdrawing shall be entitled to receive the full amount paid in by him or her, together with such proportion of the earnings thereon as the by-laws may provide, or as may have been fixed by the Board of Directors; *provided*, that not more than one half of the monthly receipts in any one month shall be applied to withdrawals for that month, without the consent of the Board of Directors, and no shareholder shall be permitted to withdraw, whose stock is pledged as security to the association for a loan, until such loan is fully paid. Such withdrawals shall be paid in succession, in the order that the notices are given.

Adopted.

Senator Simpson moved to amend, as follows:

Amend last three sections by renumbering them twenty, twenty-one, and twenty-two, respectively.

Adopted.

Bill ordered to print and engrossment as amended, and to a third reading.

Senator Gesford called up for consideration Senate Bill No. 91, temporarily passed on file.

SECOND READING OF BILL.

Senate Bill No. 91—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California.

Senator Gesford moved to amend, as follows:

By striking out of section one, line eight, the words "conclusively presumed to be," and inserting in lieu thereof the following: "prima facie."

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

Senate Bill No. 544—An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit upon the amount that may be distributed to any single person.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 442—An Act to prevent the leading, taking, carrying away, decoying, or enticing away any child, under the age of ten years, from the parent or parents, or other persons having the lawful charge or possession of such child, and of fixing penalties for violation of this Act.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 534—An Act to add a new section to the Penal Code, to be known as section —, relating to defrauding proprietors and managers of livery stables.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 515—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 516—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summons.

Read second time, and ordered to engrossment and to a third reading.

MOTION.

On motion of Senator Goucher, Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor—and Senate Bill No. 772—An Act for the relief of Robert B. Young, for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders, at Whittier, and to make an appropriation for the same—were made special orders for to-morrow, at eleven o'clock and fifty minutes A. M.

President pro tem. R. B. Carpenter in the chair.

SPECIAL ORDERS—SECOND READING OF BILL.

Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by inserting after the words "as follows," on line three, section one of printed bill, the words "section three."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend by striking out after the word "poisons," on line fourteen, printed bill, the word "and," and insert in lieu thereof the word "or."

Adopted.

Senator Broderick moved to amend, as follows:

On line fourteen, strike out the word "seven," and insert "six."

Adopted.

Senator Hart moved to amend, as follows:

By striking out of section one, lines twelve and thirteen, the words "conducting or managing pharmacies."

Lost.

Bill read second time, ordered to print and engrossment as amended, and to a third reading.

SENATE JOINT RESOLUTION No. 26.

Joint resolution asking of Congress to cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

WHEREAS, It is of vast interest to the State of California that said island should be under the control of said State for general railroad terminal purposes; and whereas, the said island is not now of use to the harbor of San Francisco, either for purposes of military or naval defense, in view of the long distance ordnance now used throughout the civilized world.

Resolved by the Senate, the Assembly concurring. That our Senators in Congress be instructed, and our Representatives requested, to urge upon Congress, by all the means in their power, the cession to the State of California of the said island in the bay of San Francisco known as Yerba Buena, or "Goat Island," to be used by said State and its grantees or assignees forever, solely for general railroad terminal purposes.

Resolved. That his Excellency the Governor, be requested to immediately forward to each of our Senators and Representatives in Congress a copy of this resolution.

The roll was called, and Senate Joint Resolution No. 26 adopted by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Hart, Hoyt, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—27.

NOES—Messrs. Berry, Fay, Gesford, Goucher, Harp, McAllister, Shippee, and Wilson—8.

MOTIONS.

At nine o'clock and forty-five minutes P. M., Senator Whitehurst moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Broderick, Denison, Flint, Harp, Hart, Maher, Mahoney, Martin, Mathews, Orr, Seymour, and Whitehurst—13.

NOES—Messrs. Arms, Bailey, Biggy, Burke, Carpenter, Dunn, Fay, Gesford, Goucher, Hoyt, McAllister, McGowan, Ostrom, Ragsdale, Shippee, Streeter, Voorheis, and Wilson—18.

Senator Orr asked unanimous consent to withdraw the notice of reconsideration of the vote whereby Substitute for Assembly Bill No. 543 was passed on March 7, 1893.

Consent given, and notice withdrawn.

On motion of Senator McAllister, the reconsideration of the vote whereby Senate Bill No. 369 was passed on March 7, 1893, was made a special order for to-morrow, at nine o'clock P. M.

NOTICE OF RECONSIDERATION.

Senator Biggy gave notice that on to-morrow he would move a reconsideration of the vote whereby Senate Joint Resolution No. 26 was this day adopted.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and thirty-four, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, and one thousand five hundred and ninety-three, etc., and to add thereto three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven, and one thousand seven hundred and sixty-nine of the Political Code, all relating to the public schools; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Also: Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reëntury upon real property.

Also: Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eight-one of the Code of Civil Procedure, relating to witnesses.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

RESOLUTION.

By Senator Burke:

Resolved, That Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730, just reported from the Judiciary Committee, be read a first time, and be placed upon the Special Assembly File in place of Assembly Bill No. 428 (No. 325 on to-day's file), and that said Assembly Bill No. 428 be stricken from the file, an identical bill having already passed the Senate.

Resolution adopted, and bill ordered read first time.

FIRST READING OF BILL.

Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred and ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one

thousand six hundred and fifteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and thirteen, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and sixty-one, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine, one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, and one thousand five hundred and three of the Political Code; to add thereto three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code, all relating to the public schools; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read first time, and placed on file for second reading.

RESOLUTION.

By Senator Denison:

Resolved, That the Minute Clerk and first assistant be and hereby are each allowed the sum of one hundred dollars, for work to be done after the final adjournment of this body, viz.: the rearranging, labeling, etc., of the original minutes, which are to be filed with the Secretary of State, the same payable out of the Contingent Fund of the Senate. The Controller is hereby directed and authorized to draw his warrants for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read, on motion of Senator Streeter:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 63—An Act relating to estrays.

Also: Assembly Bill No. 578—An Act to amend section three thousand five hundred and seventy-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 578 referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 540—An Act to provide for the publication of legal notices.

Also: Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bills Nos. 540 and 20 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 630—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employe; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for the violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 630 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended and passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

On motion of Senator McGowan, Senate Bill No. 166 was made a special order for one o'clock and thirty minutes P. M. to-morrow.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Substitute for Senate Bill No. 233—An Act to provide for the payment for the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year.

Also: Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Also: Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Also: Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-second fiscal year.

Also: Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court, for the forty-fourth fiscal year.

Also: Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third fiscal year.

Also: Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year.

Also: Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

Also: Adopted Senate Constitutional Amendment No. 17—A resolution proposing to the people of the State of California an amendment to section seven, article eleven, of the Constitution of the State of California.

Also: Amended, and passed as amended, Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates, for the forty-fourth fiscal year.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Substitute for Senate Bill No. 233. Senate Bills Nos. 160, 507, 601, 732, 705, 722, 602, and 603 were each ordered to enrollment, as was, also, Senate Constitutional Amendment No. 17.

MOTIONS.

On motion of Senator Seawell, Senate Bills Nos. 281 and 479 were made a special order for consideration at one o'clock and thirty minutes P. M. to-morrow.

Senator Seawell moved that the Senate proceed to-morrow to allow each Senator to name a bill as a "case of urgency," and that they be entitled to do so by calling the roll reversed.

ADJOURNMENT.

Whereupon, at ten o'clock P. M., on motion of Senator Burke, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, March 9, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

LEAVE OF ABSENCE.

Senator Earl was granted leave of absence for one hour, on motion of Senator Everett.

SPECIAL ORDERS.

Senator Voorheis moved a reconsideration of the vote whereby the Senate refused to adopt Senate Constitutional Amendment No. 5 on March 3, 1893.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Denison, Fay, Flint, Ford, Gesford, Hart, McAllister, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Shippee, Streeter, Voorheis, and Whitehurst—19.

NOES—Messrs. Arms, Bailey, Berry, Campbell, Carpenter, Dunn, Everett, Goucher, Harp, Hoyt, Maher, Orr, Seawell, Simpson, Williams, and Wilson—16.

Senator Campbell moved a reconsideration of the vote whereby Senate Joint Resolution No. 26 was adopted on March 8, 1893.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Dunn, Fay, Flint, Gesford, Goucher, McAllister, Mathews, Ostrom, Whitehurst, and Wilson—13.

NOES—Messrs. Arms, Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, and Williams—20.

On motion of Senator Campbell, Senate Joint Resolution No. 26 was ordered immediately transmitted to the Assembly.

RECONSIDERATION.

Reconsideration of vote whereby Senate Bill No. 138—An Act relating to interest and usury—was finally passed.

The roll was called, and the Senate reconsidered the vote whereby Senate Bill No. 138 was finally passed, by the following vote:

AYES—Messrs. Bailey, Burke, Campbell, Carpenter, Everett, Fay, Flint, Gesford, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—24.

NOES—Messrs. Arms, Biggy, Dunn, Ford, Goucher, Harp, Mahoney, Ostrom, and Wilson—9.

Senate Bill No. 138—An Act relating to interest and usury.

The question then being on the final passage of the bill.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Wilson moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

The Secretary announced that the only absentee without leave was Senator Ford.

MOTION.

Senator Orr moved to dispense with further proceedings under the call of the Senate.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Broderick, Carpenter, Denison, Hart, Hoyt, Orr, Simpson, Voorheis, and Whitehurst—9.

NOES—Messrs. Arms, Bailey, Berry, Burke, Dunn, Fay, Gesford, Goucher, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Streeter, Williams, and Wilson—18.

Senator McGowan in the chair.

The Sergeant-at-Arms appeared at the bar of the Senate with Senator Ford, who was, on motion, excused.

Senator Mathews moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The Chair then announced that the Senate refused final passage to Senate Bill No. 138 by the following vote:

AYES—Messrs. Arms, Biggy, Dunn, Goucher, Maher, Mahoney, Martin, Ostrom, Ragsdale, Seawell, Streeter, and Wilson—12.

NOES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Everett, Fay, Flint, Harp, Hart, Hoyt, McAllister, Mathews, Orr, Seymour, Shippee, Simpson, and Whitehurst—20.

URGENCY FILE.

The hour of ten o'clock and thirty minutes A. M. having arrived, the Senate proceeded to consider bills on the urgency file.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Hon. J. B. Reddick, President of the Senate, in the chair.

RESOLUTION.

By Senator Voorheis:

Resolved, That Senate Bills Nos. 783 and 784 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills shall be read the second and third times, and placed upon their passage.

The roll was called, and Senate Bills Nos. 783 and 784 declared cases of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—36.
NOES—None.

SECOND AND THIRD READING OF BILLS.

Senate Bill No. 783—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of Lieutenant-Governor and Senators, for the forty-fourth fiscal year.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Williams—31.
NOES—None.

Title read and approved.

Senate Bill No. 784—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, for the forty-fourth fiscal year.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Willams, and Wilson—34.
NOES—None.

Title read and approved.

POSTPONEMENTS OF SPECIAL ORDERS.

On motion of Senator Maher, the reconsideration of the vote whereby Senate Bill No. 75 was refused passage, was postponed and reset as a special order for one o'clock and thirty minutes P. M. to-day.

On motion of Senator Voorheis, the reconsideration of the vote whereby Senate Bill No. 133 was refused passage, was postponed and reset as a special order for one o'clock and thirty minutes P. M. to-day.

Substitute for Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization—was, on motion of Senator Hart, postponed and made a special order for nine o'clock this evening.

Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation—was, on motion of Senator Seawell, postponed and made a special order for one o'clock and thirty minutes P. M. to-day.

Substitute for Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding a new section to article four of said Constitution, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Also: Senate Constitutional Amendment No. 8—Proposing an amendment to the Constitution of the State of California, repealing sections twenty-two and twenty-three of article twelve of said Constitution, relating to the Railroad Commission, its powers and duties, and adding a new section to article four of said Constitution, to be numbered section thirty-six, relating to railroad freights and fares.

Were, on motion of Senator Gesford, postponed and made special orders for one o'clock and thirty minutes P. M. to-day.

MOTION.

Senator Wilson moved to reconsider the vote whereby Assembly Bill No. 284—An Act for the relief of George Dougherty—was on yesterday refused passage.

POINT OF ORDER.

Senator Voorheis raised a point of order that the Senate was now under a Senate rule, and that the rule would have to be suspended.

The President declared the point of order well taken.

URGENCY FILE—(RESUMED).

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Passed on file.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 249—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

SUBSTITUTION.

Senator Streeter was granted unanimous consent to withdraw Senate Bill No. 249, and to substitute therefor Assembly Bill No. 20, they being identical bills.

The history of Senate Bill No. 249 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 249 withdrawn, and Assembly Bill No. 20 substituted therefor on file, and ordered read third time.

THIRD READING OF BILL.

Assembly Bill No. 20—An Act making an appropriation for the construction of a seawall, thoroughfare, and piers, in the harbor of San Diego.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Everett, Fay, Ford, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—Messrs. Burke and McAllister—2.

Title read and approved.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Passed on file.

Senate Constitutional Amendment No. 2—Relative to amending the Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article.

Passed on file.

Senate Constitutional Amendment No. 12—Proposed amendment to article twelve of the Constitution, relative to the election of Railroad Commissioners.

Passed on file.

Senate Constitutional Amendment No. 19—To amend section one of article thirteen of the Constitution.

Passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

SUBSTITUTION.

Senator Voorheis moved that Assembly Bill No. 349 be substituted for Senate Bill No. 338—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State—and be read the first time.

So ordered.

WITHDRAWAL OF BILL.

Senator Arms was granted unanimous consent to withdraw Senate Bill No. 338.

FIRST READING OF BILL.

Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Read first time, and placed on file for second reading.

URGENCY FILE—(RESUMED).

Senate Bill No. 762—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Passed on file.

Senate Bill No. 370—An Act making an appropriation for support and maintenance of the State Mining Bureau, for the forty-fifth and forty-sixth fiscal years.

Passed on file.

THIRD READING OF BILLS.

Senate Bill No. 491—An Act making an appropriation for reimbursing the county of Marin for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

MOTION.

Senator McAllister moved that Senate Bill No. 491 be immediately transmitted to the Assembly.

So ordered.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 726—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Passed on file.

Senate Bill No. 662—An Act to promote the practical study of the sciences in the high schools of California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—Messrs. Berry and Seawell—2.

Title read and approved.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Passed on file.

Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Passed on file.

Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor William Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Harp, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Seawell, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 56—An act appropriating money to pay the claim of Jerome Deasy for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Ford, Gesford, Hoyt, McAllister, Martin, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—24.

NOES—Messrs. Arms, Burke, Harp, and Wilson—4.

Title read and approved.

SECOND READING OF BILLS.

Senate Bill No. 777—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 532—An Act entitled an Act to appropriate money to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 780—An Act to appropriate the surplus moneys in the Special Mendocino Asylum Fund in the State Treasury to the uses of the Mendocino State Insane Asylum.

Read second time, and ordered to engrossment and to a third reading.

Substitute for Senate Bills Nos. 10, 158, 139, 192, 245, 307, 308, 312, 352, 395, 446, 495, 541, 562, 577, 579, 605, 636, 691, 725, 724, and 764—County Government Bill.

Passed on file.

SUBSTITUTION.

Senator Voorheis was granted unanimous consent to withdraw Substitute for Senate Bills Nos. 124, 512, 522, and 616, and to substitute therefor Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730.

Substitute for Senate Bills Nos. 124, 512, 522, and 616 withdrawn, and Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730 substituted therefor on file.

RESOLUTION.

By Senator Voorheis:

Resolved, That Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

CASE OF URGENCY—SECOND AND THIRD READING OF BILL.

Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730—An Act to amend sections one thousand five hundred and twenty, one thousand five hundred and twenty-one, one thousand five hundred and thirty-two, one thousand five hundred and thirty-three, one thousand five hundred and forty-three, one thousand five hundred and fifty-one, one thousand five hundred and fifty-three, one thousand five hundred and sixty, one thousand five hundred and sixty-one, one thousand five hundred and sixty-four, one thousand five hundred and sixty-five, one thousand five hundred and seventy-six, one thousand five hundred and seventy-seven, one thousand five hundred and eighty-one, one thousand five hundred and eighty-three, one thousand five hundred and ninety-three, one thousand five hundred ninety-six, one thousand five hundred and ninety-nine, one thousand six hundred and two, one thousand six hundred and fourteen, one thousand six hundred and fifteen, one thousand six hundred and seventeen, one thousand six hundred and nineteen, one thousand six hundred and twenty, one thousand six hundred and twenty-one, one thousand six hundred and thirty-four, one thousand six hundred and thirty-six, one thousand six hundred and thirty-seven, one thousand six hundred and thirty-eight, one thousand six hundred and thirty-nine, one thousand six hundred and fifty, one thousand six hundred and fifty-one, one thousand six hundred and sixty-two, one thousand six hundred and sixty-three, one thousand six hundred and sixty-five, one thousand six hundred and sixty-six, one thousand six hundred and eighty-seven, one thousand six hundred and ninety-six, one thousand six hundred and ninety-eight, one thousand six hundred and ninety-nine, one thousand seven hundred and twelve, one thousand seven hundred and thirteen, one thousand seven hundred and fourteen, one thousand seven hundred and sixty-eight, one thousand seven hundred and seventy, one thousand seven hundred and seventy-one, one thousand seven hundred and seventy-two, one thousand seven hundred and seventy-five, one thousand seven hundred and seventy-six, one thousand seven hundred and eighty-seven, one thousand seven hundred and eighty-eight, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand eight hundred and seventeen, one thousand eight hundred and thirty, one thousand eight hundred and thirty-three, one thousand eight hundred and thirty-five, one thousand eight hundred and thirty-six, one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, one thousand eight hundred and sixty-one, one thousand eight hundred and seventy-four, one thousand eight hundred and seventy-seven, one thousand eight hundred and seventy-nine,

one thousand eight hundred and eighty, one thousand eight hundred and eighty-two, one thousand eight hundred and eighty-three, and one thousand five hundred and three of the Political Code; to add thereto three new sections, to be known and numbered as sections one thousand six hundred and sixty-nine, one thousand six hundred and seventy, and one thousand six hundred and seventy-one; to repeal sections one thousand seven hundred and fifty-seven and one thousand seven hundred and sixty-nine of the Political Code, all relating to the public schools; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—31.

NOES—None.

Title read and approved.

On motion of Senator Voorheis, Committee Substitute for Assembly Bills Nos. 16, 57, 129, 157, 176, 524, 667, and 730 was ordered immediately transmitted to the Assembly.

SECOND READING OF BILLS.

Senate Bill No. 580—An Act entitled an Act to appropriate money to pay the claim of Patrick Begley, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 360—An Act making an appropriation to pay the claim of J. L. Cooke and William Gutenberger for balance due for materials furnished and work done in the construction of the Branch State Prison at Folsom.

WITHDRAWAL OF BILL.

Senator Earl was granted unanimous consent to withdraw Senate Bill No. 360.

FIRST READING OF BILLS.

Senate Bill No. 596—An Act to amend the Code of Civil Procedure, by adding thereto three new sections, to be numbered sections one thousand one hundred and twenty-eight, one thousand one hundred and twenty-nine, and one thousand one hundred and thirty, relating to the contesting of elections by a judicial recount of the ballots cast.

Read first time, and placed on file for second reading.

Senate Bill No. 461—An Act to amend sections one thousand one

hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, and one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Read first time, and placed on file for second reading.

Senate Bill No. 637—An Act making an appropriation for the payment of the salary of the Librarian of the Supreme Court for the remainder of the forty-fourth fiscal year.

Read first time, and placed on file for second reading.

Senate Bill No. 203—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvement of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Read first time, and placed on file for second reading.

MOTION.

Senator Wilson moved to reconsider the vote whereby Assembly Bill No. 284, an Act for the relief of George Dougherty, was on yesterday refused passage:

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Broderick, Everett, Flint, Hart, Maher, Mahoney, Martin, Ragsdale, and Wilson—9.

NOES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Fay, Ford, Gesford, Goucher, Harp, Hoyt, Mathews, Mitchell, Orr, Ostrom, Seawell, Shippee, and Whitehurst—21.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 407—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Also: Senate Bill No. 368—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties having over one hundred thousand inhabitants.

Also: Senate Bill No. 43—An Act appointing Sheriffs and Constables Game and Fish Wardens.

Also: Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Also: Substitute for Senate Bill No. 731—An Act to authorize the appointment of a Commission by the Governor for the purpose of reviewing the laws governing the penal institutions of this State, and regulating the discipline thereof, and of selecting and suggesting a permanent site and location for an additional State's prison.

Also: Senate Bill No. 624—An Act to amend sections three thousand four hundred and eighty-one and three thousand four hundred and eighty-two of the Political Code, relating to the division of swamp land districts.

RAGSDALE, Chairman.

SPECIAL ORDERS—THIRD READING OF BILLS.

Senate Bill No. 772—An Act for the relief of Robert B. Young, for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders, at Whittier, and to make an appropriation for the same.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Title read and approved.

Senate Bill No. 525—An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

MOTIONS.

On motion of Senator Carpenter, Senate Bill No. 772 was ordered immediately transmitted to the Assembly.

On motion of Senator Goucher, Senate Bill No. 525 was ordered immediately transmitted to the Assembly.

PRESENTATION OF PETITIONS.

Senator Gesford presented the following protest from citizens of Lake County, and asked that the body of same be printed in the Journal, together with the number of names.

So ordered.

PROTEST.

To the Senate and Assembly of California:

We, the undersigned, earnestly protest against the Uniform License Bill now introduced in the Legislature, and most earnestly entreat you, as our representatives, to use every possible means to defeat the measure.

GEO. H. RHODES, and thirty-nine others.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

President pro tem. R. B. Carpenter in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

MOTION.

On motion of Senator Everett, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 803—An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under section forty-seven, Code of Civil Procedure, for forty-second fiscal year.

Also: Assembly Bill No. 713—An Act to prevent dispensers of water from overcharging consumers for water and water connections.

Also: Assembly Bill No. 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases.

Also: Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Also: Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bills Nos. 803, 757, 758, and 759 referred to Committee on Judiciary.

Assembly Bill No. 713 referred to Committee on City, City and County, and Town Governments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Substitute for Assembly Bill No. 449—An Act to provide for the payment of the principal and interest due on certain Controller's warrants, drawn on the War Loan Fund of the State Treasury, and making an appropriation therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Substitute for Assembly Bill No. 449 referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendments to Assembly Bill No. 493—An Act to amend section six hundred and twenty-six of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of March, passed Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

On motion of Senator Gesford, Assembly Bill No. 663 was referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendments to Assembly Bill No. 365—An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California.

Also: Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 66 referred to Committee on Claims.

On motion of Senator Maher, Assembly Bill No. 191 was ordered placed on file and read first time.

FIRST READING OF BILL.

Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

Read first time, and placed on file for second reading.

SPECIAL ORDERS.

Senate Bill No. 65—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Read second time, and ordered to engrossment and to a third reading.

POSTPONEMENTS.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof—was, on motion of Senator McGowan, postponed and reset as a special order for nine o'clock P. M. this day.

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Passed on file temporarily.

Reconsideration of the vote whereby Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made—was passed on March 7, 1893, was, on motion of Senator Ostrom, postponed and reset as a special order for nine o'clock this evening.

RECONSIDERATION.

Senator Burke moved to reconsider the vote whereby Senate Bill No. 759 was passed on March 8, 1893.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Fay, Gesford, Harp, McAllister, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Voorheis, Whitehurst, Williams, and Wilson—21.

NOES—Messrs. Carpenter, Denison, Everett, Flint, Hart, Hoyt, Maher, Orr, and Streeter—9.

On motion of Senator Burke, the further consideration of Senate Bill No. 759 was made a special order for to-morrow, immediately after reading the Journal.

MOTIONS.

Senator Orr moved to reconsider the vote whereby Senate Bill No. 759 was made a special order for to-morrow morning, immediately after reading the Journal.

So ordered.

On motion of Senator Orr, the further consideration of Senate Bill No. 759 was made a special order for this evening at nine o'clock.

LEAVE OF ABSENCE.

On motion of Senator Flint, a leave of absence for the remainder of the day was granted Senator Orr.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and com-

pensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Senator Seawell moved that the above bill be made a special order for consideration at nine o'clock p. m. this day.

So ordered.

On motion of Senator Gesford, Substitute for Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding a new section to article four of said Constitution, to be known and numbered as section thirty-six, relating to railroad freights and fares—was reset as a special order for reconsideration at nine o'clock and ten minutes p. m. this day.

On motion of Senator Maher, the consideration of the vote whereby Senate Bill No. 75 was refused final passage, was reset as a special order for to-morrow, immediately after the reading of the Journal.

Senator Voorheis moved that the reconsideration of the vote whereby Senate Bill No. 133 was refused final passage be reset as a special order for to-morrow, immediately after the reading of the Journal.

So ordered.

SPECIAL ASSEMBLY FILE.

The hour of two o'clock p. m. having arrived, the consideration of Assembly Bills by joint rules set for this hour was proceeded with.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

SECOND READING OF BILLS.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred

and sixteen, and three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read second time, and passed on file, to be open to amendment.

Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific Railroads owe the Government.

Passed on file.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Passed on file.

FINAL PASSAGE OF BILL.

Assembly Bill No. 305—An Act to amend section one thousand two hundred and ten of the Code of Civil Procedure, relating to reentry upon real property.

The bill having been read a third time on a previous day, the question was on the final passage.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Seawell, Simpson, Streeter, Voorheis, and Wilson—28.

NOES—None.

Title read and approved.

THIRD READING OF BILL.

Assembly Bill No. 244—An Act to provide for the compensation of the Chief and Captain of Police, and police officers, in cities in the State of California containing not less than ten thousand and not exceeding twenty-five thousand inhabitants.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Earl, Fay, Harp, Hart, Hoyt, Maher, Martin, Mathews, Mitchell, Ragsdale, Simpson, Voorheis, Whitehurst, Williams, and Wilson—23.

NOES—Messrs. Carpenter and Seymour—2.

Title read and approved.

MOTION.

On motion of Senator Maher, Assembly Bill No. 244 was ordered immediately transmitted to the Assembly.

THIRD READING OF BILLS.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Read third time, and refused final passage by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Voorheis, and Wilson—5.

NOES—Messrs. Berry, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Martin, Mathews, Mitchell, Seawell, Seymour, Shippee, Simpson, Streeter, and Whitehurst—25.

Assembly Bill No. 235—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, Martin, Mitchell, Ragsdale, Seawell, Seymour, Streeter, Voorheis, Whitehurst, Williams, and Wilson—24.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Voorheis, Assembly messages were taken up.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 853—An Act to provide for the appropriation for the contingent expenses of the Assembly.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 853 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 853 declared a case of urgency by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—31.

NOES—None.

CASE OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILL.

Assembly Bill No. 853—An Act to provide for the appropriation for the contingent expenses of the Assembly.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Voorheis, Assembly Bill No. 853 was ordered immediately transmitted to the Assembly.

SPECIAL ASSEMBLY FILE—(RESUMED)—SECOND READING OF BILLS.

Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Read second time, and ordered to a third reading.

Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Senator Earl moved to amend by striking out all of section two.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Burke, Campbell, Earl, Fay, Hoyt, McAllister, Maher, Mahoney, Martin, Seymour, Simpson, Voorheis, Williams, and Wilson—15.

NOES—Messrs. Carpenter, Flint, Ford, Gesford, Harp, Hart, Mathews, Mitchell, Ragsdale, Seawell, Streeter, and Whitehurst—12.

Senator Earl moved to amend, as follows:

By striking out of section three, lines nine and ten, the words "for by failing to deposit a jury fee as provided in section six hundred and twenty of this Code."

Adopted.

Also:

Amend by striking out of section three, line one, the figure "3" after word section, and inserting the following: "2;" also, strike out on line one, section four, the figure "4" and insert the figure "3."

Adopted.

Bill read second time, ordered printed as amended and to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 368—An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said lands.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Burke, Campbell, Carpenter, Earl, Fay, Flint, Ford, Hart, Hoyt, McAllister, Maher, Mahoney, Mitchell, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—23.

NOES—None.

Title read and approved.

Assembly Bill No. 691—An Act relating to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of two hundred thousand inhabitants or over.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Harp, Hoyt, McAllister, Maher, Mathews, Mitchell, Ragsdale, Seymour, Simpson, Voorheis, Williams, and Wilson—23.

NOES—Messrs. McGowan, Mahoney, Ostrom, Seawell, Streeter, and Whitehurst—6.

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read second time, and ordered to a third reading.

Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

Read second time, and ordered to engrossment and to a third reading.

Assembly Bill No. 774—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, sixty, eighty, ninety-three, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-six, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-four, one hundred and fifty-five, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and

seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen thereof, and by repealing sections one hundred and six and one hundred and ten of said Act, and by renumbering sections one hundred and seven, one hundred and eight, and one hundred and nine of said Act, and designating them as sections one hundred and six, one hundred and seven, and one hundred and eight, respectively, and by adding two new sections to said Act, and numbering them sections one hundred and nine and one hundred and ten.

MOTIONS.

During the second reading, Senator McGowan moved to strike out the enacting clause.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Campbell, McGowan, Mahoney, Martin, Seawell, and Whitehurst—6.
NOES—Messrs. Bailey, Berry, Broderick, Carpenter, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Ragsdale, Simpson, Voorheis, and Wilson—17.

Senator Mahoney moved that Assembly Bill No. 239 be made a special order, and read first time this evening, at nine o'clock and fifteen minutes.

So ordered.

Hon. J. B. Reddick, President of the Senate, in the chair.

URGENCY FILE.

The hour of three o'clock and thirty minutes P. M. having arrived, the Senate proceeded to the consideration of urgency file, as per Senate rules.

Senate Bill No. 572—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Passed on file, to retain its place.

THIRD READING OF BILL.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State," approved March 20, 1891, by amending sections one, eleven, and twelve.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, Langford, Maher, Mahoney, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

Title read and approved.

MOTION.

Senator Berry moved that Senate Bill No. 188 be immediately transmitted to the Assembly.

So ordered.

NOTICE OF RECONSIDERATION.

Senator Goucher gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 298 was refused passage this day.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following accounts:

Witnesses before Committee on Constitutional Amendments.

| Name and Residence. | No.
Days. | Amount. | Miles--
Direct. | Amount. | Total. |
|---|--------------|---------|--------------------|----------|------------|
| Waldo S. Waterman, San Diego, Cal.... | 2 | \$4 00 | 566 | \$113 20 | \$117 20 |
| Thos. Mellersh, San Rafael, Cal..... | 2 | 4 00 | 96 | 19 20 | 23 20 |
| D. Freeman, Los Angeles, Cal..... | 2 | 4 00 | 478 | 95 60 | 99 60 |
| A. J. Harrell, Visalia, Cal..... | 2 | 4 00 | 211 | 42 20 | 46 20 |
| J. F. Burgin, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| Geo. J. Locke, San Diego, Cal..... | 2 | 4 00 | 566 | 113 20 | 117 20 |
| W. J. McMullen, San Francisco, Cal.... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| C. O. Johnson, San Luis Obispo, Cal.... | 2 | 4 00 | 293 | 58 60 | 62 60 |
| J. M. Fulton, Reno, Nev..... | 2 | 4 00 | 160 | 32 00 | 36 00 |
| L. T. Garnsey, Los Angeles, Cal..... | 2 | 4 00 | 478 | 95 60 | 99 60 |
| H. B. Gillis, Yreka, Cal..... | 2 | 4 00 | 285 | 57 00 | 61 00 |
| E. W. Jones, Colusa, Cal..... | 2 | 4 00 | 80 | 16 00 | 20 00 |
| D. A. Bender, Carson City, Nev..... | 2 | 4 00 | 191 | 38 20 | 42 20 |
| R. H. Wade, Los Angeles, Cal..... | 2 | 4 00 | 478 | 95 60 | 99 60 |
| F. S. Perris, Los Angeles, Cal..... | 2 | 4 00 | 478 | 95 60 | 99 60 |
| J. Churchill, Yreka, Cal..... | 2 | 4 00 | 285 | 57 00 | 61 00 |
| Wm. Collier, Riverside, Cal..... | 2 | 4 00 | 588 | 117 60 | 121 60 |
| John F. Kidder, Grass Valley, Cal..... | 2 | 4 00 | 71 | 14 20 | 18 20 |
| F. A. Autenreith, Yreka, Cal..... | 2 | 4 00 | 285 | 57 00 | 61 00 |
| J. M. Walbridge, Yreka, Cal..... | 2 | 4 00 | 285 | 57 00 | 61 00 |
| W. F. Russell, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| S. M. Buck, Eureka, Cal..... | 2 | 4 00 | 312 | 62 40 | 66 40 |
| Jas. P. Brown, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| J. S. Leeds, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| J. M. Wood, San Francisco, Cal..... | 2 | 4 00 | 84 | 16 80 | 20 80 |
| Totals | | | 6,690 | | \$1,438 00 |

Mileage of Sergeant-at-Arms Thos. Rodgers, witnesses before Committee on Constitutional Amendments.

| Name and Residence. | Miles
Down. | Miles
Return. | Total
Miles. | Total
Amount. |
|--------------------------------------|----------------|------------------|-----------------|------------------|
| Waldo S. Waterman, San Diego, Cal. | 566 | 566 | 1,132 | \$113 20 |
| Geo. J. Locke, San Diego, Cal. | 96 | 96 | 192 | 19 20 |
| Thos. Mellersh, San Rafael, Cal. | 211 | 211 | 422 | 42 20 |
| A. J. Harrell, Visalia, Cal. | | | | |
| D. Freeman, Los Angeles, Cal. | | | | |
| L. T. Garnsey, Los Angeles, Cal. | 478 | 478 | 956 | 95 60 |
| K. H. Wade, Los Angeles, Cal. | | | | |
| F. S. Perris, Los Angeles, Cal. | | | | |
| J. F. Burgin, San Francisco, Cal. | | | | |
| C. F. Smurr, San Francisco, Cal. | 84 | 84 | 168 | 16 80 |
| Richard Gray, San Francisco, Cal. | | | | |
| W. F. Russell, San Francisco, Cal. | | | | |
| Wm. J. McMullen, San Francisco, Cal. | | | | |
| C. O. Johnson, San Luis Obispo, Cal. | 293 | 293 | 586 | 58 60 |
| J. M. Fulton, Reno, Nev. | 160 | 160 | 320 | 32 00 |
| E. W. Jones, Colusa, Cal. | 80 | 80 | 160 | 16 00 |
| H. B. Gillis, Yreka, Cal. | | | | |
| J. Churchill, Yreka, Cal. | 285 | 285 | 570 | 57 00 |
| F. A. Autenreith, Yreka, Cal. | | | | |
| J. M. Walbridge, Yreka, Cal. | | | | |
| D. A. Bender, Carson City, Nev. | 191 | 191 | 382 | 38 20 |
| Wm. Collier, Riverside, Cal. | 588 | 588 | 1,176 | 117 60 |
| John F. Kidder, Grass Valley, Cal. | 71 | 71 | 142 | 14 20 |
| S. M. Buck, Eureka, Cal. | 312 | 312 | 624 | 62 40 |
| A. Burrows, Nevada City, Cal. | 71 | 71 | 142 | 14 20 |
| J. C. Martin, Oakland, Cal. | 91 | 91 | 182 | 18 20 |
| W. G. Curtis, San Francisco, Cal. | | | | |
| Jas. P. Brown, San Francisco, Cal. | | | | |
| J. M. Wood, San Francisco, Cal. | 84 | 84 | 168 | 16 80 |
| G. L. Lansing, San Francisco, Cal. | | | | |
| J. S. Leeds, San Francisco, Cal. | | | | |
| Totals. | | | 7,322 | \$732 20 |

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Thomas Rodgers, Sergeant-at-Arms of the Senate, for the amount of two thousand one hundred and seventy dollars and twenty cents (\$2,170 20), for expenses incurred in the case of Constitutional Amendment No. 8, and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

STREETER, Chairman.

Senator Gesford moved that the report be re-referred to the Committee on Attachés, Contingent Expenses, and Mileage, the committee to report to the Senate the names of all persons subpoenaed, where subpoenaed, who appeared before the committee, and what sum of fees and mileage each is entitled to.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Ike Mooser be and he is hereby allowed mileage as Sergeant-at-Arms to the Committee on Public Buildings other than Prison Buildings during the investigation of the San Bernardino Asylum for the Insane, and the Controller is hereby directed to draw his warrant in favor of Ike Mooser for the sum of one hundred and fifteen dollars (\$115), and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

STREETER, Chairman.

Senator Goucher moved the adoption of the resolution, notwithstanding the adverse report of the committee.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Denison, Goucher, Harp, Hart, Mahoney, Martin, Mitchell, Ostrom, Simpson, and Williams—13.

NOES—Messrs. Bailey, Biggy, Burke, Campbell, Carpenter, Earl, Fay, Flint, Gesford, Hoyt, McAllister, McGowan, Maher, Mathews, Ragsdale, Seymour, Shippee, Streeter, Voorheis, and Whitehurst—20.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Controllor be and he is hereby directed to draw his warrant in favor of the following named, for the amounts set opposite their respective names, for mileage on account of the visit of the Sub-Committee on Commerce and Navigation to the bay of San Francisco:

| | |
|---------------------------------------|---------|
| J. H. Mahoney, 168 miles..... | \$16 80 |
| J. T. Broderick, 168 miles..... | 16 80 |
| T. F. Mitchell, 168 miles..... | 16 80 |
| J. F. O'Beirne, Clerk, 168 miles..... | 16 80 |

The same to be paid out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Mitchell, Seawell, Seymour, Shippee, Voorheis, Williams, and Wilson—25.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following account:

Witnesses before Committee on Public Buildings other than Prison Buildings, in case of charges of fraud in buildings at Glen Ellen, Sonoma County, California.

| | Miles. | Days. | Amount. | Mileage. | Total. |
|---------------------------------------|--------|-------|---------|----------|--------------------|
| F. W. Lougee, San Francisco..... | 84 | 2 | \$4 00 | \$16 80 | \$20 80 |
| W. G. Copeland, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| V. Hoffmann, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| Geo. W. Gibbs, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| M. F. Redmond, Glen Ellen..... | 133 | 2 | 4 00 | 26 60 | 30 60 |
| A. McElroy, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| J. T. Peters, Santa Clara..... | 128 | 2 | 4 00 | 25 60 | 29 60 |
| A. P. Overton, Santa Rosa..... | 141 | 2 | 4 00 | 28 20 | 32 20 |
| Richard McCann, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| H. Williamson, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| G. H. Walker, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| W. S. Wood, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| C. V. Pierce, San Francisco..... | 84 | 2 | 4 00 | 16 80 | 20 80 |
| Thomas Rodgers, Sergeant-at-Arms..... | 2,484 | | | | \$300 40
248 40 |
| | | | | | \$548 80
185 00 |
| Total..... | | | | | \$733 80 |

State of California to Luke Kavanagh, Dr.:

To reporting and transcribing testimony in the matter of the investigation of the construction of some of the buildings for the Home of the Feeble-Minded, located at Glen Ellen..... \$85 00

State of California to E. J. Croly, Dr.:

To expenses..... \$25 00
To services examining buildings at Glen Ellen and reporting on same, by authority of Hon. E. P. Colgan, State Controller, and Hon. Wm. H. H. Hart, Attorney-General of State..... 75 00
Total..... \$100 00

EVERETT, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend the adoption of the following resolution:

By Senator Everett:

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of D. H. Everett, the Chairman of the joint committee appointed to investigate charges of fraud in connection with some of the buildings at the Home for the Care and Training of Feeble-Minded Children, located at Glen Ellen, in Sonoma County, for the amount of seven hundred and thirty-three dollars and eighty cents (\$733 80), for expenses incurred in such investigation, as per bills hereto attached, and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Carpenter, Denison, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, McAllister, Maher, Mahoney, Martin, Mitchell, Ragsdale, Seymour, Shippee, Streeter, Voorheis, and Williams—23.
NOES—None.

MOTION.

Senator Carpenter moved that the Secretary call the roll, and as the name of each Senator is called he call the number of the bill and read its title preparatory to an omnibus resolution being introduced for the purpose of designating such as cases of urgency.

Senator Simpson moved as an amendment that the roll call be reversed when called.

The roll was called, and the motion as amended carried by the following vote:

AYES—Messrs. Arms, Berry, Burke, Fay, Ford, Gesford, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—20.

NOES—Messrs. Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Flint, Goucher, Harp, Hart, Hoyt, and McAllister—14.

Before the roll was called, the President suggested that each Senator file with the clerks at the desk the number of their bill, amendment, or resolution before the next morning session, when the resolution would be adopted.

Agreed to.

RECESS.

At four o'clock and thirty-five minutes P. M., on motion of Senator Arms, the Senate took a recess.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gosford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

RESOLUTIONS.

By Senator Everett:

Resolved, That the sum of five hundred dollars be and is hereby directed to be paid to the Secretary of the Senate out of the appropriation for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for said sum upon the appropriation for the contingent expenses of the Senate, and the Treasurer to pay the same, said sum to be distributed by said Secretary to himself and to the person who has performed, and is now performing the work in compiling the Weekly History of Senate Bills, Constitutional Amendments, and Joint Resolutions; be it further

Resolved, That the person having such history in charge be and he is hereby directed and instructed to remain over at the State Capitol after adjournment of the thirtieth session of the Legislature *sine die*, for a sufficient time to complete a final copy of the Senate Weekly History, and after the same is finally printed he shall mail to each member of the Assembly and Senate five copies thereof, one of which shall be bound in pasteboard cover.

For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed to print eight hundred copies of such final history, one hundred and fifty copies of which shall be bound in pasteboard covers.

The Controller of State is hereby directed to draw his warrant for the sum of fifty dollars in favor of said Secretary, payable out of the appropriation for the contingent expenses of the Senate, and the Treasurer directed to pay the same, for the purpose of paying the necessary postage upon such final history.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

By Senator Earl:

Resolved, That C. P. Everts, Assistant Secretary of the Senate, be and he is hereby allowed the sum of fifty dollars, the same as is allowed the other Assistant Secretaries by law, to assist in preparing and delivering to the Secretary of State, after the final adjournment of this body, all necessary papers and documents, the same payable out of the Contingent Fund of the Senate, and the Controller is hereby directed and authorized to draw his warrant for the same, and the Treasurer to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Passed on file.

Senate Bill No. 557—An Act for the protection of fish.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Whitehurst, Williams, and Wilson—24.

NOES—None.

Title read and approved.

Senate Bill No. 557—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Fay, Gesford, Hart, Hoyt, Maher, Mahoney, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—23.

NOES—Messrs. Dunn, Earl, Goucher, Harp, McGowan, Martin, and Mitchell—7.

Title read and approved.

MOTION.

Senator Goucher moved a call of the Senate.

Lost.

At seven o'clock and fifty minutes P. M. Senator Goucher moved to adjourn.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Goucher, Harp, Maher, Martin, Mitchell, and Williams—7.

NOES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Hart, Hoyt, McAllister McGowan, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—28.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Committee Substitute for Senate Bill No. 338—An Act to amend section one thousand two hundred and two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Also: Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Also: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Also: Committee Substitute for Senate Bill No. 599—An Act providing for primary elections in this State.

Also: Senate Bill No. 534—An Act to add a new section to the Penal Code, to be known as section —, relating to defrauding proprietors and managers of livery stables.

Also: Senate Bill No. 544—An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit upon the amount that may be distributed to any single person.

Also: Senate Bill No. 482—An Act regulating the location of manufactories for the making of giant powder, gun powder, blasting powder, or any explosive substance, the storage of explosives, and providing a penalty therefor.

Also: Senate Bill No. 264—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Also: Senate Bill No. 646—An Act entitled an Act to forbid the manufacture and sale of cigarettes within the State of California.

Also: Senate Bill No. 265—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents, to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Also: Senate Bill No. 516—An Act to amend section four hundred and thirteen of the Code of Civil Procedure of the State of California, relating to publication of summonses.

Also: Senate Bill No. 442—An Act to prevent the leading, taking, carrying away, decoying, or enticing away any child, under the age of ten years, from the parent or parents, or other persons having the lawful charge or possession of such child, and of fixing penalties for violation of this Act.

Also: Senate Bill No. 466—An Act for the relief of Patrick Creighton.

Also: Senate Bill No. 537—An Act to amend section five hundred and seventy-five of the Civil Code of the State of California, relating to making and drawing deposits and dividends in savings and loan corporations.

RAGSDALE, Chairman.

Senate Bill No. 701—An Act to create a State Advisory Highway Committee.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—33

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

At eight o'clock P. M., on request, Senator Ford was granted a leave of absence for one hour.

GENERAL FILE—THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 467—An Act to amend an Act to provide for the organization, incorporation, and government of municipal corporations, as approved March 13, 1883, and amended March 19, 1889.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

Senate Bill No. 487—An Act to insure preference in appointment, employment, and retention therein, in the public service in the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Senate Bill No. 644—An Act relating to the operation of railroads.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Read third time.

Senator Maher moved that Senator Hart be appointed a special committee of one to amend Senate Bill No. 66, as follows:

Amend by striking out of section one, line three, the word "lost," and inserting the following in lieu thereof: the word "expended;" and amend the title by striking out the words "for the relief," and inserting the following in lieu thereof: "to pay the claim."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 66—An Act making an appropriation to pay the claim of E. Marion Wells—with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

HART, Committee.

Report of special committee of one adopted.

Bill ordered to print and engrossment as amended.

Senate Bill No. 543—An Act to amend section two hundred and eighty-six of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Martin, Mathews, Mitchell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—26.

NOES—None.

Title read and approved.

Hon. J. B. Reddick, President of the Senate, in the chair.

Senate Bill No. 128—An Act authorizing the incurring of indebtedness and issuance of bonds by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of water-works, sewers, buildings, breakwaters, seawalls, embankments, and all necessary public improvements, or for the purchase of land for necessary public use, or for any purpose whatever, and to repeal all portions of Acts in conflict therewith; *providing*, that proceedings for the issuance of bonds commenced under any prior Act shall in nowise be affected by this Act, but shall in all respects be finished and completed according to the Act under which such proceedings have been commenced.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Denison, Earl, Everett, Fay, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Read third time, and on motion of Senator Mahoney, was passed on file, to retain its place.

Senate Bill No. 453—An Act to amend section four hundred and ninety-seven of the Civil Code of the State of California, relating to street railroad corporations.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Goucher, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Williams—27.

NOES—None.

Title read and approved.

Senate Bill No. 108—An Act to amend section two thousand one hundred and sixty-eight of the Civil Code of the State of California.

Read third time.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator McGowan moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

The Secretary announced that the only absentees without leave were Senators Streefer and Hoyt.

MOTION.

Senator Simpson moved to dispense with further proceedings under the call of the Senate.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the Senate refused final passage to Senate Bill No. 108 by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Burke, Earl, Everett, Fay, Gesford, Hart, Hoyt, McGowan, Maher, Mahoney, Mitchell, Ostrom, Ragsdale, Voorheis, Williams, Wilson—19.

NOES—Messrs. Berry, Biggy, Campbell, Carpenter, Denison, Dunn, Flint, Ford, Goucher, Harp, McAllister, Martin, Mathews, Orr, Seawell, Seymour, Shippee, Simpson, Streefer, and Whitehurst—20.

SPECIAL ORDERS.

Reconsideration of the vote whereby Senate Bill No. 369 was passed on March 7, 1893.

Senator Ostrom moved to reconsider the vote whereby Senate Bill No. 369 was passed on March 7, 1893.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Biggy moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

MOTION.

Senator Broderick moved to dispense with further proceedings under the call of the Senate.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the Senate reconsidered the vote whereby Senate Bill No. 369 was finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Dunn, Fay, Gesford, McGowan, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, and Wilson—21.

NOES—Messrs. Broderick, Carpenter, Denison, Everett, Flint, Harp, Hart, Maher, Mitchell, Seymour, Voorheis, and Williams—12.

Senate Bill No. 369—An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made.

The roll was then called on the final passage of the bill.

CALL OF THE SENATE.

Before the vote was announced, Senator Williams moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors of the Senate.

The Secretary announced that the only absentee without leave was Senator Everett.

Senator Hart moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The President directed the Sergeant-at-Arms to open the doors.

The President then ordered a new roll call on the final passage of Senate Bill No. 369.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Hart, Maher, Martin, Mitchell, Ragsdale, Seymour, Streeter, Voorheis, and Williams—15.

NOES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, Mathews, Orr, Ostrom, Seawell, Shippee, Simpson, Whitehurst, and Wilson—17.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

The question being on the final passage of the bill.

MOTION.

Senator Burke moved that Senate Bill No. 759 be recommitted to Senator Earl, as a special committee of one, with instructions to amend as follows:

By striking out of section one, lines eight and nine of the bill, the words "one fifth," and insert "one third."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 759, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

EARL, Committee.

The roll was called, and the report of the committee and amendment adopted by the following vote:

AYES—Messrs. Biggy, Burke, Dunn, Fay, Gesford, Goucher, Harp, McAllister, Martin, Mitchell, Ostrom, Shippee, Simpson, and Whitehurst—14.

NOES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Flint, Ford, McGowan, Mahoney, Orr, Streeter, and Williams—12.

Bill ordered to print and reëngrossment as amended, and on file for final passage.

SECOND READING OF BILL.

Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act to entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also, the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Read second time, and ordered to engrossment and to a third reading.

THIRD READING OF BILL.

Substitute for Assembly Bill No. 396—An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization.

Read third time, and refused final passage by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Fay, Hoyt, Maher, Martin, Seymour, Simpson, Voorheis, Williams, and Wilson—13.

NOES—Messrs. Arms, Berry, Burke, Carpenter, Dunn, Everett, Flint, Goucher, Harp, Hart, McAllister, McGowan, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Streeter, and Whitehurst—21.

NOTICE OF RECONSIDERATION.

Senator Hart gave notice that on to-morrow he would move to reconsider the vote whereby Substitute for Assembly Bill No. 396 was refused passage.

Substitute for Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding a new section to article four of said Constitution, to be known and numbered as section thirty-six, relating to railroad freights and fares—was, on motion of Senator Gesford, postponed and reset as a special order for to-morrow, immediately after reading the Journal.

RESOLUTION.

By Senator Gesford:

Resolved, That the provisions of the Constitution relating to the time in which bills may be introduced are hereby suspended, and permission is hereby granted to Senator Gesford to introduce Senate Concurrent Resolution No. 12, approving the charter of the city of Napa.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Carpenter, Denison, Dunn, Fay, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Mahler, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

SENATE CONCURRENT RESOLUTION.

By Senator Gesford: Senate Concurrent Resolution No. 12—Approving the charter of the city of Napa, in Napa County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on March 9, 1893.

Senate Concurrent Resolution No. 12 ordered to print and on file, without reference to committee.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof—was, on motion of Senator McGowan, postponed and reset as a special order for to-morrow, at ten o'clock and twenty-five minutes A. M.

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—was, on motion of Senator Orr, postponed and reset as a special order for Saturday, immediately after reading the Journal.

FIRST READING OF BILL.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Senator Berry moved that Assembly Bill No. 239 be made a special order for to-morrow, at nine o'clock P. M.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Carpenter, Denison, Earl, Gesford, Harp, McAllister, Seawell, Shippee, Streeter, Voorheis, and Whitehurst—13.

NOES—Messrs. Arms, Broderick, Campbell, Dunn, Everett, Ford, Hart, McGowan, Maher, Mahoney, Mitchell, Ostrom, Ragsdale, Seymour, Simpson, Williams, and Wilson—17.

Assembly Bill No. 239 read first time and ordered to a second reading.

MOTION.

Senator Mahoney moved that Assembly Bill No. 239 be made a special order for to-morrow, immediately after reading the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Campbell, Dunn, Everett, Ford, Goucher, Hart, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seymour, Simpson, and Williams—19.

NOES—Messrs. Berry, Biggy, Carpenter, Denison, Fay, Harp, Mathews, Ostrom, Shippee, Voorheis, Whitehurst, and Wilson—12.

LEAVES OF ABSENCE.

At ten o'clock and thirty minutes P. M. Senator Streeter was granted leave of absence for the balance of the evening.

Senator Martin was also granted leave of absence for the balance of the evening.

MOTION.

Senator Voorheis moved that Committee Substitute for Senate Bills Nos. 10, 139, 158, 192, 245, 307, 308, 312, 352, 395, 446, 495, 541, 562, 577, 579, 605, 636, 691, 724, 725, and 764 be taken up, read first time, and placed at the head of the urgency file.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Goucher, Harp, Hart, McAllister, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Voorheis, and Whitehurst—22.

NOES—Messrs. Everett, Ford, Maher, Mathews, Seymour, and Simpson—6.

FIRST READING OF BILL.

Committee Substitute for Senate Bills Nos. 10, 139, 158, 192, 245, 307, 308, 312, 352, 395, 446, 495, 541, 562, 577, 579, 605, 636, 617, 924, 725, and 764—An Act to establish a uniform system of county and township governments.

Read first time, and placed on file for second reading (at head of urgency file).

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Also: Senate Bill No. 490—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the dis-

tribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Also: Senate Bill No. 362—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges.

Also: Senate Concurrent Resolution No. 11—Approving the charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town, at a special election held therein for that purpose, on February 28, 1893.

Also: Senate Bill No. 515—An Act to amend section six hundred and ninety-two of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 130—An Act to amend section one hundred and three of the Code of Civil Procedure of the State of California, relating to Justices' Courts.

Also: Senate Bill No. 266—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Also: Senate Bill No. 325—An Act to add a new section, to be known as section eight hundred and two of the Political Code, in regard to powers and duties of Notaries Public.

Also: Senate Bill No. 782—An Act to amend an Act entitled "An Act to amend section three hundred and seventy-four of the Penal Code, relating to crimes against the public health," as approved March 3, 1893.

Also: Senate Bill No. 361—An Act for the relief of J. F. Chapman & Co., for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 445—An Act to add a new section to the Penal Code, to be numbered five hundred and thirty-eight, relating to misrepresentations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage.

Also: Senate Bill No. 627—An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary.

Also: Senate Bill No. 492—An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor.

Also: Senate Bill No. 658—An Act making an appropriation for editing the manuscript of the State Mineralogist for the two years ending September 15, 1892.

Also: Senate Bill No. 137—An Act to establish a Board of Parole Commissioners, for the parole of and government of paroled prisoners.

Also: Senate Bill No. 115—An Act to amend section three hundred and sixty-two of the Civil Code, relating to amending articles of incorporation.

Also: Senate Bill No. 506—An Act to amend sections three hundred and sixty-four and six hundred and fifty-four of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as section six hundred and eighty-five of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary.

RAGSDALE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Senator Ford:

Resolved, That the Secretary of the Senate be and he is hereby directed to have printed two hundred and fifty extra copies of Senate Bill No. 50.

So ordered.

MOTION.

On motion of Senator Earl, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 596 referred to Committee on Public and Swamp and Overflowed Lands.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, refused to reconsider, and ordered immediately transmitted to the Senate, Assembly Bill No. 512 -An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

SUBSTITUTION.

Senator Goucher was granted unanimous consent to withdraw Senate Bill No. 490, and to substitute therefor Assembly Bill No. 512, they being identical bills.

The history of Senate Bill No. 490 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 490 withdrawn, and Assembly Bill No. 512 substituted therefor.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed a resolution requesting that the Senate return to the Assembly Senate Bill No. 116, which was transmitted to your honorable body on Wednesday, March 9, 1893.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

On motion of Senator McGowan, the request was complied with, and the bill ordered returned to the Assembly.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 604—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

SUBSTITUTION.

Senator Broderick was granted unanimous consent to withdraw Senate Bill No. 570, and to substitute therefor Assembly Bill No. 604, they being identical bills.

The history of Senate Bill No. 570 is as follows: Bill read first time.

Senate Bill No. 570 withdrawn, and Assembly Bill 604 substituted therefor.

RESOLUTIONS—(OUT OF ORDER).

By Senator McGowan:

Resolved, That Frank McGowan, as Chairman of special committee appointed to investigate the members of the Board of Railroad Commissioners, be and he is hereby allowed the sum of three hundred and twenty-four dollars and fifty cents, the same being the amount necessary to defray the expenses incurred in conducting said investigation, as shown per bill rendered, and the Controller is hereby directed to draw his warrant in favor of said Frank McGowan for the said sum, to be paid out of the Contingent Fund of the Senate, and the Treasurer is hereby authorized to pay the same:

State of California to Luke Kavanagh, Dr.:

| | |
|--|----------|
| To reporting and transcribing: | |
| Five hundred and eighty folios, at 20 cents | \$116 00 |
| Five hundred and eighty folios, at 17½ cents | 101 50 |
| Five hundred and eighty folios, at 15 cents | 87 00 |
| Two per diems | 20 00 |
| Total | \$324 50 |

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

Also:

Resolved, That L. J. Fontenrose, Journal Clerk of the Senate, and Geo. A. Leon and G. G. Davis, Assistant Journal Clerks, be and they are hereby employed, after the final adjournment of the Senate, for the purpose of completing the work involved upon them as Journal Clerks of the Senate, in arranging and properly sealing the original minutes, the corrected and approved Journals, and that they be allowed the sum of fifty-six (\$56) dollars each therefor, payable out of the Contingent Fund of the Senate, and that the Controller is hereby directed to draw his warrant for the said amounts in favor of L. J. Fontenrose, Geo. A. Leon, and G. G. Davis, and the Treasurer is directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

Also: Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872," and approved March 31, A. D. 1891.

Also: Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Also: Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 726—An Act to amend section two hundred and seventy-two of the Penal Code, relative to licensing children in theatrical exhibitions—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphan's home or orphan asylum in this State—have had the same under consideration, and respectfully report the same back, and recommend that the Senate concur in the Assembly amendment to the same.

McGOWAN, Chairman.

The President pro tem. ordered the roll called on the concurrence of the Senate to Assembly amendment to Senate Bill No. 219.

ADJOURNMENT.

The roll call showing no quorum present and voting, at eleven o'clock p. m. the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER.

Friday, March 10, 1893. }

The Senate met pursuant to adjournment, at ten o'clock A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Everett.

MOTION.

On motion of Senator Maher, Senate Bill No. 162 was made a special order for consideration at one o'clock and thirty minutes P. M. this day.

SPECIAL ORDERS.

Reconsideration of the vote whereby Senate Bill No. 133 was refused passage.

Senator Voorheis moved to reconsider the vote whereby Senate Bill No. 133 was refused passage.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—MESSRS. Broderick, Maher, Mahoney, Ragsdale, Streeter, and Voorheis—6.

NOES—MESSRS. Arms, Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Flint, Harp, Hoyt, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Wilson—26.

Senator Maher moved to reconsider the vote whereby Senate Bill No. 75 was refused passage.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Maher moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

MOTION.

Senator Whitehurst moved to dispense with further proceedings under the call of the Senate.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The President then announced that the Senate refused a reconsideration by the following vote:

AYES—Messrs. Arms, Broderick, Campbell, Everett, Fay, McGowan, Maher, Mahoney, Mitchell, Simpson, Voorheis, and Williams—12.

NOES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, Martin, Mathews, Orr, Ostrom, Ragsdale, Seymour, Shippee, Streeter, Whitehurst, and Wilson—26.

SUBSTITUTION.

Substitute for Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding a new section to article four of said Constitution, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Senator Gesford was granted unanimous consent to withdraw Senate Constitutional Amendment No. 8 (No. 10 on file), and to substitute therefor Substitute for Assembly Constitutional Amendment No. 14, they being identical.

Senate Constitutional Amendment No. 8 withdrawn, and Substitute for Assembly Constitutional Amendment No. 14 substituted therefor on file.

RESOLUTIONS.

By Senator Mathews:

Resolved, That the Attorney-General and Controller of the State of California are hereby requested to immediately furnish to the Senate copies of contracts made for the collection of delinquent taxes belonging to the State, by which the collector is allowed fifteen per cent upon the amount collected in addition to the costs and penalties prescribed by statute, and that said Attorney-General and Controller also furnish the Senate with the following information:

1. How many such contracts have been made, when made, and with whom made.
2. How much money has been paid said persons with whom said contracts were made as percentage, costs, and penalties, including the three dollars per notice for serving notices, and including the percentage and penalties paid by the counties for which said persons are appointed.
3. By what authority of law said Attorney-General and Controller have assumed to make such contracts.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—31.

NOES—None.

By Senator Voorheis:

WHEREAS, George B. Shearer has acted as Sergeant-at-Arms to the Committee on Constitutional Amendments from January 22 up to March 6, 1893, and has received no compensation for the same; therefore, be it

Resolved, That said George B. Shearer be allowed compensation for said services at a per diem of five dollars, from said January 22 to March 6, 1893, the same to be paid out of the Contingent Fund of the Senate, and that the Controller be and he is hereby directed to draw his warrant for the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

MOTION.

Senator Voorheis moved that the rules be suspended, for the purpose of considering his notice of motion to amend the rules of the Senate.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—35.

NOES—None.

MOTION TO CHANGE RULES.

Senator Voorheis moved to amend Rule No. 1 by adding to said rule the following: After March 10, 1893, the time of meeting of the Senate shall be nine o'clock and thirty minutes A. M.

Senator Voorheis moved to change the hour to nine o'clock A. M.

Senator Goucher moved, as an amendment, that the hour be fixed at eight o'clock A. M.

Amendment adopted.

The roll was called, and the amended motion lost by the following vote:

AYES—Messrs. Arms, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Flint, Ford, Gesford, Goucher, Hart, Hoyt, McAllister, Maher, Mitchell, Orr, Seawell, Shippee, Simpson, Voorheis, Williams, and Wilson—23.

NOES—Messrs. Bailey, Earl, Everett, Harp, McGowan, Mahoney, Martin, Mathews, Ostrom, Ragsdale, and Streeter—11.

NOTICE OF AMENDMENT TO RULES.

Senator Ostrom gave notice that on to-morrow he would move to amend Rule No. 1 so that the time of meeting shall be nine o'clock A. M.

MOTION.

Senator Goucher moved that Rule 35 be temporarily suspended, for the purpose of amending the rules as to the hour of meeting.

The roll was called, and the motion as amended carried by the following vote:

AYES—Messrs. Arms, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, McAllister, McGowan, Martin, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—23.

NOES—Messrs. Bailey, Maher, and Mathews—3.

Senator Ostrom moved that during the remainder of this session of the Legislature the Senate meet at nine o'clock A. M.

Senator Goucher moved to amend by fixing the hour at eight o'clock and thirty minutes A. M.

Amendment accepted.

The roll was called, and the motion as amended carried by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, and Voorheis—27.

NOES—Messrs. Mahoney, Seymour, and Streeter—3.

Senator McGowan in the chair.

URGENCY FILE.

The hour of ten o'clock and thirty minutes A. M. having arrived, the Senate proceeded to consider the bills on the urgency file.

Substitute for Senate Bills Nos. 10, 158, 139, 192, 245, 307, 308, 312, 352, 395, 446, 495, 541, 562, 577, 579, 605, 636, 691, 725, 724, and 764—An Act to establish a uniform system of county and township governments.

Passed on file.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 8, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 683—An Act to pay the claim of C. Schindler against the State of California.

Also: Senate Bill No. 695—An Act appropriating money to pay the claim of B. McMahon & Son.

Also: Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 420—An Act to make an appropriation to pay the claim of R. B. Young, assignee of Mackay & Skinner, for extra work upon the Administration Building of the Reform School for Juvenile Offenders, at Whittier, and make an appropriation for the same.

Also: Senate Bill No. 489—An Act to provide for the payment of a part of the funded debt of the State, and to pay the interest on the remainder.

Also: Senate Bill No. 617—An Act to pay the claim of Michael Denzer against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 243—An Act to appropriate money for the support of the State Normal School at Chico.

Also: Senate Bill No. 244—An Act to appropriate money for the purchase of scientific apparatus for the State Normal School at Chico.

Also: Senate Bill No. 252—An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year.

Also: Senate Bill No. 3—An Act establishing a commission for the revision of the laws.

Also: Senate Bill No. 178—An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor.

Also: Senate Bill No. 179—An Act to provide furniture for and furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor.

Also: Senate Bill No. 240—An Act to appropriate money for the care of the grounds of the State Normal School at Chico.

Also: Senate Bill No. 241—An Act to appropriate money for improvement of grounds of the State Normal School at Chico.

Also: Senate Bill No. 242—An Act to appropriate money for the support of the library and museum of the State Normal School at Chico.

Also: Senate Bill No. 253—An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year.

Also: Senate Bill No. 270—An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year.

Also: Senate Bill No. 402—An Act entitled an Act to pay the claims of employes of the State Board of Forestry, and appropriating the sum of one thousand one hundred and eighty-four dollars and twenty-eight cents to pay such claims.

Have had the same under consideration, and respectfully report the same back, and recommend that they be withdrawn.

Also: Senate Bill No. 766—An Act to appropriate the sum of five thousand dollars for the support and maintenance of "Christ's Rescue Home."

Also: Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Also: Senate Bill No. 735—An Act to pay the claim of Thomas Curtain, or his heirs, against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 310—An Act to provide for the payment of the per diem of the members and attachés of the Constitutional Convention.

Also: Senate Bill No. 452—An Act to provide for a topographical survey and map of the State of California, and appropriating money to pay for the same.

Also: Senate Bill No. 339—An Act to provide for the payment of the claim of James C. Smith, for money advanced and expended by him for the State of California, in the building and construction of the North Street Canal and laying sewer pipe, at and near Stockton, San Joaquin County, California.

Also: Senate Bill No. 288—An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of this State.

Also: Senate Bill No. 304—An Act making an appropriation for the erection of buildings, and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom.

Also: Senate Bill No. 344—An Act to appropriate the sum of three thousand dollars to pay the claim of F. Carl Spelling.

Also: Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Also: Substitute for Senate Bill No. 162—An Act to encourage fiber culture, and to make an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 761—An Act to provide for the purchase of statuary to be placed in the niches of the rotunda of the State Capitol, on the first floor, and to appropriate money therefor.

Also: Senate Bill No. 118—An Act entitled an Act for the relief of the widow of Albert P. Crigler.

Also: Senate Bill No. 477—An Act to provide for the establishment and maintenance of free public employment offices.

Also: Senate Bill No. 533—An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situate in the City Cemetery of Sacramento, and for the improvement of said grounds.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 564—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Also: Senate Bill No. 565—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Have had the same under consideration, and respectfully report the accompanying substitutes without recommendation.

VOORHEIS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 772—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Also: Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Also: Assembly Bill No. 63—An Act relating to estrays.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Assembly Bill No. 578—An Act to amend section three thousand five hundred and seventy-two of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 850—An Act to amend section one thousand six hundred and fourteen, title two, of the Penal Code, in relation to the government of prisoners sentenced to terms of imprisonment in county jails.

Also: Assembly Bill No. 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases.

Also: Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Also: Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

McGOWAN, Chairman.

URGENCY FILE—(RESUMED)—FIRST READING OF BILLS.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Read first time.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Passed on file.

Senate Constitutional Amendment No. 2—Relative to amending the Constitution of the State of California, by repealing sections four and five of article thirteen, and by amending section one of said article.

Passed on file.

Senate Constitutional Amendment No. 12—Proposed amendment to article twelve of the Constitution, relative to the election of Railroad Commissioners.

Passed on file.

Senate Constitutional Amendment No. 19—To amend section one of article thirteen of the Constitution.

Passed on file.

Hon. J. B. Reddick, President of the Senate, in the chair.

Substitute for Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amend-

ment to the Constitution of the State, by adding a new section to article four of said Constitution, to be known and numbered as section thirty-six, relating to railroad freights and fares.

Read.

Senator Seawell moved to amend, as follows:

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California, at its twenty-ninth session, commencing January fifth, eighteen hundred and ninety-one, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that sections twenty-two and twenty-three of article twelve of the Constitution of the State of California be amended so as to read as follows:

SECTION 1. Section twenty-two is hereby amended so as to read as follows:

Section 22. This section is repealed.

SEC. 2. Section twenty-three is hereby amended so as to read as follows:

Section 23. This section is repealed.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Arms, Berry, Burke, McAllister, McGowan, Martin, Mathews, Ostrom, Seawell, Whitehurst, and Wilson—10.

NOES—Messrs. Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—27.

The question then being on the adoption of Substitute for Assembly Constitutional Amendment No. 14.

The roll was called, and the Senate refused to adopt Substitute for Assembly Constitutional Amendment No. 14 by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, McAllister, Mathews, Mitchell, Ostrom, and Whitehurst—12.

NOES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—26.

EXPLANATIONS.

When Senator Burke's name was called, he gave the following as an explanation of his vote, and asked that it be printed in the Journal:

While I still adhere to the opinion expressed in the minority report made to this Senate on Substitute for Senate Constitutional Amendment No. 8, against making the "California Distance Tariff" a part of the Constitution, nevertheless, as I am in favor of repealing sections twenty-two and twenty-three of article twelve of the Constitution, and as the Assembly has passed this proposed amendment, and the Senate refuses to segregate the two propositions therein contained, I am willing to submit the same to a vote of the people for final determination.

When Senator McGowan's name was called, he presented the following as an explanation of his vote, and asked that it be printed in the Journal:

I vote "no," because I am firmly convinced, from the evidence introduced before the committee, that if this amendment is either proposed or adopted, it would work irreparable injury and damage to the railroads of the counties which I have the honor to represent. At the present juncture of commercial affairs it would be highly injurious to the efforts about to be made to connect the county in which I live with the railroad system of the State; although, if separately submitted, I am in favor of abolishing the present system of Railroad Commission.

When Senator Ford's name was called, he gave the following as an explanation for casting his vote in the negative, and asked that the same be printed in the Journal:

I vote "no," for the reason that I believe that the proposed amendment, if adopted, would postpone for an indefinite period the building of a competing railroad connecting San Francisco harbor with the trunk lines of the Eastern States, and for the further reason that it would seriously cripple the small roads in my district.

RECESS.

The hour of twelve o'clock M. having arrived, the President declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

EXPLANATION.

Senator Seawell asked that the following explanation be read and printed in the Journal.

So ordered.

I was unexpectedly called out by J. M. Standley, of my county, at the time of the vote on Assembly Constitutional Amendment No. 14. Inasmuch as the Senate refused to adopt the Shanahan resolution proposed by me as a substitute, had I been present and voted, I should have voted "aye" on the proposed resolution.

LEAVE OF ABSENCE.

Senator Seawell was granted a leave of absence until three o'clock and thirty minutes P. M.

RESOLUTION.

By Senator Ford:

WHEREAS, The Government of the United States has recently set apart for Government reservation, in the State of California, several millions of acres of land, which include certain sixteenth and thirty-sixth sections of land, amounting to some hundreds of thousands of acres, which would otherwise belong to the State of California, to be sold for school purposes; and whereas, the said Acts of reservation entitle the Surveyor-General of the State of California to select other Government land, in lieu of the sixteenth and thirty-sixth sections included in said reservations; and whereas, a large number of applications have been presented to the Surveyor-General of the State for filing, and are now in his possession, and if accepted, by him will take precedence according to date thereof; and whereas, many of these applications may be for identical tracts of Government land, thus causing unnecessary annoyance and expense to intending purchasers; therefore, be it

Resolved by the Senate of the State of California, That a committee of three be appointed by the President of the Senate, which committee is hereby directed to make a complete list of all applications now in the possession of the Surveyor-General of the State of California, showing in detail the date of presentation, the name and address of the applicant, together with a description of the tract or tracts sought to be purchased, and whether the application is by individual or by attorney, and if by attorney the name and address of same; and it is further

Resolved, That the findings of the committee and the information thus obtained shall be printed and given general circulation and publicity; and that said committee shall employ a competent clerk to assist them and report to the Senate at as early a day as practicable.

Resolution adopted.

SPECIAL ORDER—SECOND READING OF BILL.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Read second time, and ordered to a third reading.

MOTION.

Senator Mahoney moved that the further consideration of Assembly Bill No. 239 be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT.

By unanimous vote of the Senate, Senator Mathews introduced the following:

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section twenty-two of article four thereof, relative to the power of the Legislature to grant aid to the Nicaragua Canal.

Referred to Committee on Federal Relations.

ASSEMBLY AMENDMENT CONCURRED IN.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Senator McGowan moved that the Senate do now concur in the following amendment of the Assembly to Senate Bill No. 166:

Amend lines eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, and eighteen, section six, of printed bill, so as to read as follows:

"Examine witnesses, and who shall make their award in writing to the Superior Court by which they were appointed, said award to be thereupon subject to the approval of said Superior Court; and if the said award be approved by said Superior Court, after a hearing of all parties interested therein, said decision shall be final in all respects as between said insured and said company. The said committee of reference shall be allowed the sum of three dollars per day for each day's service so rendered, and the sum of ten cents per mile for every mile necessarily traveled by them in the discharge of such duties, which allowances shall be paid by the claimant and the company in equal proportions."

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—Senator Maher—1.

SPECIAL ORDER—SECOND READING OF BILL.

Senate Bill No. 162—An Act to encourage fiber culture.

Committee substitute read and adopted.

Committee Substitute for Senate Bill No. 162—An Act to encourage fiber culture, and making an appropriation therefor.

Substitute bill read second time, and ordered to print and engrossment, and to a third reading.

MOTION.

Senator Everett moved that the consideration of Assembly Bills Nos. 757, 758, and 759 be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

SPECIAL ORDERS—(RESUMED).

Reconsideration of the vote whereby Substitute for Assembly Bill No. 396 was refused passage on March 9, 1893.

MOTION.

Senator Hart moved that the reconsideration of the vote whereby Substitute for Assembly Bill No. 396 was refused passage be made a special order for to-morrow after reading the Journal.

Lost.

The roll was then called, and the Senate refused to reconsider the vote whereby Substitute for Assembly Bill No. 396 was refused final passage, by the following vote:

AYES—Messrs. Bailey, Broderick, Denison, Hart, Maher, Martin, Seymour, and Voorheis—8.

NOES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Whitehurst, and Wilson—25.

PRESENTATION OF PETITION.

Senator Earl submitted the following petition, which was ordered printed in the Journal:

To the honorable Senate, now in session at Sacramento:

GENTLEMEN: The undersigned, citizens of the city of Alameda, respectfully petition that you will use your vote and influence against the passage of the Everett bill, depriving municipalities of the right to fix the amount of taxes for the sale of intoxicating liquors.

GEO. SEARLE, and thirty-seven others.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 7, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the resolution appointing W. H. Rice Assistant Sergeant-at-Arms of the Senate, be amended so as to read as follows:

Resolved, That W. H. Rice be and he is hereby appointed Clerk to the Sergeant-at-Arms of the Senate, with duties of First Assistant Sergeant-at-Arms, at the same per diem as the Sergeant-at-Arms, to take effect January 2, 1893, the same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrant for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Carpenter, Denison, Earl, Fay, Goucher, Harp, Hart, Hoyt, Maher, Martin, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—22.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That the Minute Clerk and first assistant be and hereby are each allowed the sum of one hundred dollars for work to be done after the final adjournment of this body, viz.: the rearranging, labeling, etc., of the original minutes, which are to be filed with the Secretary of State, the same payable out of the Contingent Fund of the Senate. The Controller is hereby directed and authorized to draw his warrant, and the Treasurer hereby ordered to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Everett, Fay, Flint, Goucher, Harp, Hart, Hoyt, McAllister, Maher, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolutions:

Resolved, That the sum of five hundred dollars be and is hereby directed to be paid to the Secretary of the Senate out of the appropriation for the contingent expenses of the Senate, and the Controller is hereby directed to draw his warrant for said sum upon the appropriation for the contingent expenses of the Senate, and the Treasurer to pay the same, said sum to be distributed by said Secretary to himself and to the person who has performed and is now performing the work in compiling the Weekly History of Senate Bills, Constitutional Amendments, and Joint Resolutions; be it further

Resolved, That the person having such history in charge be and he is hereby directed and instructed to remain over at the State Capitol after adjournment of the thirtieth session of the Legislature *sine die*, for a sufficient time to complete a final copy of the Senate Weekly History, and after the same is finally printed he shall mail to each member of the Assembly and Senate five copies thereof, one of which shall be bound in pasteboard cover.

For the purpose of carrying out the requirements of this resolution, the Superintendent of State Printing is hereby directed to print eight hundred copies of such final history, one hundred and fifty copies of which shall be bound in pasteboard covers.

The Controller of State is hereby directed to draw his warrant for the sum of fifty dollars in favor of said Secretary, payable out of the appropriation for the contingent expenses of the Senate, and the Treasurer directed to pay the same, for the purpose of paying the necessary postage upon such final history.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Earl, Fay, Flint, Harp, Hoyt, Maher, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—22.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Frank McGowan, as Chairman of special committee appointed to investigate the members of the Board of Railroad Commissioners, be and he is hereby allowed the sum of three hundred and twenty-four dollars and fifty cents, the same being the amount necessary to defray the expenses incurred in conducting said investigation, as shown per bill rendered, and the Controller is hereby directed to draw his warrant in favor of said Frank McGowan for the said sum, to be paid out of the Contingent Fund of the Senate, and the Treasurer is hereby authorized to pay the same:

State of California to Luke Kavanagh, Dr.:

| | |
|--|----------|
| To reporting and transcribing: | |
| Five hundred and eighty folios, at 20 cents | \$116 00 |
| Five hundred and eighty folios, at 17½ cents | 101 50 |
| Five hundred and eight folios, at 15 cents | 87 00 |
| Two per diems | 20 00 |
| Total | \$324 50 |

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Gesford, Goucher, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That L. J. Fontenrose, Journal Clerk of the Senate, and Geo. A. Leon and G. G. Davis, Assistant Journal Clerks, be and they are hereby employed, after the final adjournment of the Senate, for the purpose of completing the work involved upon them as Journal Clerks of the Senate, in arranging and properly sealing the original minutes, the corrected and approved Journals, and that they be allowed the sum of fifty-six (\$56) dollars each therefor, payable out of the Contingent Fund of the Senate, and that the Controller is hereby directed to draw his warrant for the said amounts in favor of L. J. Fontenrose, Geo. A. Leon, and G. G. Davis, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Ford, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—25.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That C. P. Everts, Assistant Secretary of the Senate, be and he is hereby allowed the sum of fifty dollars, the same as is allowed the other Assistant Secretaries by law, to assist in preparing and delivering to the Secretary of State, after the final adjournment of this body, all necessary papers and documents, the same payable out of the Contingent Fund of the Senate, and the Controller is hereby directed and authorized to draw his warrant for the same, and the Treasurer to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Denison, Earl, Everett, Fay, Gesford, Harp, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—None.

SPECIAL ASSEMBLY FILE.

The hour of two o'clock p. m. having arrived, the consideration of Assembly Bills by joint rules set for this hour was proceeded with.

SECOND READING OF BILL.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Read second time, and ordered to a third reading.

FIRST READING OF BILL.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Read first time, and placed on file for second reading.

Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and sixteen, and three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Passed on file.

Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe the Government.

Passed on file.

THIRD READING OF BILL.

Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Ford, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

MOTION.

Senator Carpenter moved that Assembly Bill No. 264 be immediately transmitted to the Assembly.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 354—An Act to amend certain sections of the Political Code, relative to the Board of Health.

Read third time, and refused final passage by the following vote:

AYES—Messrs. Arms, Berry, Burke, Earl, Goucher, Harp, Hoyt, McAllister, McGowan, Voorheis, and Whitehurst—11.

NOES—Messrs. Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Ford, Gesford, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Williams, and Wilson—25.

NOTICE OF RECONSIDERATION.

Senator Gesford gave notice that on to-morrow he would move a reconsideration of the vote whereby the Senate refused final passage to Assembly Bill No. 354.

THIRD READING OF BILLS.

Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Passed on file.

Assembly Bill No. 777—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Ford, Goucher, Harp, Hart, Hoyt, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Seymour, Simpson, Streeter, Whitehurst, and Wilson—24.

NOES—Messrs. Bailey and Berry—2.

Title read and approved.

Assembly Bill No. 550—An Act to prohibit the creation of debts against the State in excess of appropriations made by law, except in cases of actual necessity, and on consent of the Board of Examiners.

Read third time, and finally passed by the following vote:

AYES. Messrs. Bailey, Buggy, Carpenter, Denison, Earl, Fay, Ford, Goucher, Hart, McGowan, Maher, Martin, Mitchell, Orr, Shippee, Simpson, Streeter, Voorhees, Whitehurst, Williams, and Wilson—21.
 NOES. None.

Title read and approved.

SECOND READING OF BILL.

Assembly Bill No. 774—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, sixty, eighty, ninety-three, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-six, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-four, one hundred and fifty-five, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, and two hundred and sixteen thereof, and by repealing sections one hundred and six and one hundred and ten of said Act, and by renumbering sections one hundred and seven, one hundred and eight, and one hundred and nine of said Act, and designating them as sections one hundred and six, one hundred and seven, and one hundred and eight, respectively, and by adding two new sections to said Act, and numbering them sections one hundred and nine and one hundred and ten.

AMENDMENTS.

Senator Earl moved to amend, as follows:

By striking out section two.

Adopted.

Also:

Amend by renumbering section three as section two.

Adopted.

Also:

Amend by renumbering section four as section three.

Adopted.

Also:

Amend by adding the following as a new section, to be numbered section four:

SEC. 4. Section one hundred and seventy-three of said Act is hereby amended so as to read as follows:

Section 173. In counties of the eleventh class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County Clerk, three thousand dollars per annum.
2. Clerk of Board of Supervisors, twelve hundred dollars per annum.
3. Sheriff, five thousand dollars per annum, and mileage for the service of any and all process required by law to be served by him, at the rate of ten cents per mile for every mile necessarily traveled in the performance of such duty.
4. Jailer, twelve hundred dollars per annum.
5. Superior Court Bailiff, twelve hundred dollars per annum.
6. Recorder, three thousand dollars per annum.
7. Register of Deeds, four thousand dollars per annum.
8. Auditor, two thousand dollars per annum.
9. Treasurer, one thousand eight hundred dollars per annum.
10. Tax Collector, one thousand five hundred dollars per annum.
11. District Attorney, two thousand four hundred dollars per annum; and the District Attorney may appoint a Deputy District Attorney, at a salary of fifteen hundred dollars per annum, who shall hold his office at the pleasure of the District Attorney.
12. Assessor, eighteen hundred dollars per annum.
13. Coroner, such fees as are now or may hereafter be allowed by law.
14. Public Administrator, such fees as are now or may hereafter be allowed by law.
15. Superintendent of Schools, one thousand eight hundred dollars per annum.
16. Surveyor, such fees as are now or may hereafter be allowed by law.
17. Transcriber, thirty-five hundred dollars per annum.
18. Constables, such fees as are now or may hereafter be allowed by law.
19. Justices of the Peace, such fees as are now or may hereafter be allowed by law.
20. Supervisors, each six dollars per day for actual service, and forty cents per mile while traveling from his place of residence to the county seat: *provided*, that no more than one mileage in any one monthly term shall be allowed.
21. The fees and compensation of Constables in criminal cases or proceedings to which the people of the State of California are or may be made parties, shall not exceed seventy-five dollars for any one month. All moneys in excess of this sum shall by such Constable be paid into the County Treasury.

22. It shall be the duty of the Superior Court Clerk to collect in advance and pay into the County Treasury, in the cases hereinafter mentioned, the following fees, to wit:

1. In all civil actions and all special proceedings of a civil nature, and for all informations filed by citizens for the purpose of removing an officer—

(a) From the plaintiff or informer on the commencement of every such action or proceedings, ten dollars; which shall be in full for all services to be performed by such Clerk, to and including the entry, recording, and docketing of the judgment, and making up and filing the judgment roll.

(b) From the defendant in such cases, on his appearance, five dollars; which shall be in full for all like services.

(c) From the moving party, on filing notice of motion, for each motion to vacate or set aside any final order or judgment, except in probate cases, and for each motion for new trial, five dollars; which shall be in full for all services to be performed by such Clerk, to and including the entry of the order finally granting or denying such motion.

(d) From the appellant, on filing any notice of appeal to the Supreme Court from any order, judgment, or decree, ten dollars; which shall be in full for all services to be performed by such Clerk thereon, to and including the filing of the remittitur from the Supreme Court on such appeal.

2. In the matter of every estate and guardianship:

(a) From the petitioner, on filing each petition for letters testamentary, or of administration, or of guardianship of the person or estate of any minor, ten dollars; which shall be in full for all services to be performed by such Clerk, to and including the filing of the inventory and appraisement in the matter of such estate or guardianship.

(b) Upon the filing of such inventory and appraisement, before any further proceedings are had, the sum of one dollar for each and every thousand dollars of the appraised value of the estate of such minor or decedent; which shall be in full for all

services to be performed by such Clerk in matter of such estate or guardianship, to and including the filing, entry, and recording of the final decree of settlement and distribution therein, or the decree finally partitioning such estate; *provided*, that in all cases where the estate of any decedent shall be summarily distributed in the manner provided by section one thousand four hundred and sixty-nine of the Code of Civil Procedure of this State, ten dollars shall be in full for all services performed therein by such Clerk, to and including the final entry and recording of the decree summarily disposing thereof.

(c) On the filing of every petition for the removal of any executor, administrator, or guardian, or the filing of any objection to the probate of any will or testament, or to the appointment of any administrator, executor, or guardian, or the citation of any executor, administrator, or guardian to appear and answer concerning any matter touching such executorship, administratorship, or guardianship, from the person filing such petition, ten dollars; which shall be in full for all services to be performed by such Clerk, to and including the filing and entry of the order or decree finally determining the same.

(d) From the appellant, on filing any notice of appeal to the Supreme Court from any order or decree made in the matter of any estate or guardianship, ten dollars; which shall be in full for all services to be performed by such Clerk, to and including the filing of the remittitur from the Supreme Court on such appeal.

3. In case of any appeal to the Superior Court or transfer of any case thereto:

(a) From the appellant, on the receipt of any papers or transcript on appeal from any Justice's or inferior Court, the sum of five dollars; which shall be in full for all services of such Clerk, to and including the entry of final judgment and making and filing of the judgment roll and remitting any order of dismissal or affirmance required by law.

(b) From the moving party on the filing of the papers in any case transferred to the Superior Court from any Justice's or inferior Court, pursuant to any statute, ten dollars; which shall be in full for all services to be performed by such Clerk, to and including the entry of final judgment and making and filing the judgment roll, or the remitting of any order of dismissal or affirmance, or any order remanding such case to any lower Court.

(c) On the filing of papers in every case for change of venue made to the Superior Court from the Superior Court of any other county, the sum of ten dollars; to be in full for all services to be performed by such Clerk, to and including the entry, recording, and docketing of the final judgment and making up and filing of the judgment roll.

4. On the filing of any petition in insolvency:

(a) From the person so filing the same, the sum of ten dollars; which shall be in full for all services to be performed by such Clerk in the matter of such insolvency, to and including the order finally determining such matter.

(b) From the appellant, on the filing of any notice of appeal from any order or decree made in the matter of such insolvency, ten dollars; which shall be in full for all services to be performed by such Clerk, to and including the filing of the remittitur from the Supreme Court on such appeal.

5. No fees shall be charged in any criminal case, nor for any services performed on any writ of habeas corpus, nor against the State or county, nor against any public officer suing in his own name on behalf of the State or county, pursuant to any statute or ordinance; *provided*, that where any action is commenced by such county, at the relation of any person not a public officer, the fees herein provided for shall be paid by such relator.

6. In addition to the fees hereinbefore provided for, such Clerk shall charge and collect the following fees:

(a) For the issuance of any execution, order of sale, or any other writ or process subsequent to the entry of judgment, except in the cases mentioned in the last subdivision, one dollar; which shall include the filing of such execution, order, writ, or process on return, and the entry of partial or entire satisfaction thereof.

(b) For the copying of any record or other document or paper, fifteen cents per folio.

(c) For each certificate, except in criminal cases, fifty cents.

(d) For each affidavit not made by a public officer pursuant to any statute, nor in the case of any action or proceeding, nor in pursuance of any registration or election law of this State, fifty cents.

(e) For taking testimony on the justification to any undertaking of bond or the taking of any deposition, including certificate thereto, twenty cents per folio.

(f) For taking the acknowledgment of any deed or other writing, one dollar for each person acknowledging the same.

(g) For issuing each marriage license, two dollars and fifty cents.

Adopted.

Also:

Amend by adding a new section, to be numbered section six, and renumbering section six as section seven, as follows:

SEC. 6. Section one hundred and ninety-four of said Act is hereby amended so as to read as follows:

Section 194. In counties of the thirty-second class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County Clerk, twenty-four hundred dollars per annum.
 2. Sheriff, fifty-five hundred dollars per annum.
 3. The Recorder, one thousand five hundred dollars per annum; and the Recorder shall charge and collect for the use of the county and pay into the County Treasury the fees collected as now provided by law; *provided*, that for recording every instrument, paper, or notice, for each folio, fifteen cents; for indexing every instrument, paper, or notice, fifteen cents for each name indexed; for copies of any record or paper, per folio, fifteen cents; for every entry of discharge of mortgage or other instrument on margin of record, or for entering credit thereon, or witnessing and indexing same, twenty-five cents. And all fees collected by him shall be paid into the County Treasury for the use of the county.
 4. The Auditor, eighteen hundred dollars per annum.
 5. The Treasurer, one thousand six hundred dollars per annum.
 6. The Tax Collector, one thousand two hundred dollars per annum.
 7. The Assessor, three thousand two hundred dollars per annum.
 8. The District Attorney, two thousand dollars per annum.
 9. The Coroner, such fees as are now or may hereafter be allowed by law.
 10. The Public Administrator, such fees as are now or may hereafter be allowed by law.
 11. The Superintendent of Schools, one thousand five hundred dollars per annum.
 12. The Surveyor, such fees as are now or hereafter may be allowed by law.
 13. Transcriber, twelve hundred dollars per annum.
 14. Justices of the Peace, such fees as are now or may hereafter be allowed by law, except for filing each paper he shall receive twenty cents; for issuing any writ or process by which suit is commenced, twenty-five cents; for entering every cause upon his docket, forty cents; for entering any final judgment, for the first folio, fifty cents; for each additional folio, fifteen cents; for taking or approving any bond or undertaking directed by law to be taken or approved by him, twenty-five cents; for taking depositions, per folio, fifteen cents; for a copy of a judgment, order, docket, proceeding, or paper in his office, for each folio, fifteen cents; for entering judgment by confession or only on affidavit, one dollar and fifty cents; and *provided further*, that, at the option of the Justice of the Peace, the plaintiff shall give a good and sufficient bond for the costs of suits on application for warrant of arrest. The provisions of this subdivision shall take effect from and after the date of approval of this Act.
 15. Constables, such fees as are now or may hereafter be allowed by law, except that the Constable's mileage shall not exceed twelve and one half cents per mile for each mile necessarily traveled in the discharge of the duties of his office; *provided*, that in no case shall a Constable receive for services in vagrancy cases, for any one month, an amount in excess of the sum of thirty dollars; and *provided further*, that in serving a subpoena or venire, when two or more jurors or witnesses live in the same direction, but one mileage shall be charged, twelve and one half cents per mile for each mile traveled to the more distant point; for conveying a prisoner, when under arrest, the necessary expenses actually paid for transportation. The provisions of this subdivision shall take effect from and after the date of approval of this Act.
- Supervisors, six dollars per day for each day while in service of the county, and twenty cents per mile for traveling from residence to county seat.

Adopted.

Also:

Amend by adding a new section to said Act, to be numbered section eight, to read as follows:

SEC. 8. Section two hundred of said Act is hereby amended so as to read as follows:

Section 200. In counties of the thirty-eighth class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County Clerk, fifteen hundred dollars per annum.
2. Sheriff, three thousand five hundred dollars per annum.
3. Jailer, six hundred dollars per annum.
4. Recorder, twelve hundred dollars per annum.
5. Register of Deeds, nine hundred dollars per annum.
6. The Auditor, six hundred dollars per annum.
7. The Treasurer, twelve hundred dollars per annum.
8. The Tax Collector, seven hundred and fifty dollars per annum; *provided*, said Tax Collector shall be allowed one deputy, whose compensation shall not exceed four dollars per day, to be paid out of the County Treasury, upon order of the Board of Supervisors; *provided*, such deputy shall not be allowed pay for more than one hundred days in any one year.
9. The Assessor, nineteen hundred dollars; *provided*, said Assessor shall be allowed one deputy, whose compensation shall not exceed five dollars per day, to be paid out of the County Treasury, upon order of the Board of Supervisors; *provided*, such deputy shall not be allowed pay for more than one hundred and twenty-five days in any one year.
10. The District Attorney, one thousand four hundred dollars per annum; and for every conviction twenty-five dollars, to the amount of five hundred, and no more; if any more, it goes to the county.

11. The Coroner, such fees as are now or may hereafter be allowed by law.
12. The Public Administrator, such fees as may now or hereafter be allowed by law.
13. The Superintendent of Schools, one thousand dollars per annum, and one hundred dollars for traveling expenses. The Supervisors may allow him two hundred dollars additional for traveling expenses.
14. The Surveyor, such fees as are now or may hereafter be allowed by law.
15. Justices of the Peace shall be allowed the following fees: In civil actions, for filing each paper, twenty-five cents. For issuing any writ of process by which suit is commenced, one dollar. For entering such cause in his docket, fifty cents. For issuing subpoenas for each witness, twenty-five cents. For administering an oath or affirmation, twenty-five cents. For certifying the same, twenty-five cents. For issuing writ of attachment, for arrest, or for delivery of property, two dollars. For entering any final judgment, three dollars. For entering any motion, rule, or order, twenty-five cents. For swearing a jury, in either criminal or civil actions, one dollar. For issuing an execution, fifty cents. For issuing supersedeas to an execution, fifty cents. For entering satisfaction of judgment, fifty cents. For issuing search warrant, to be paid by the party demanding the same, one dollar. For issuing commission to take testimony, one dollar. For taking or approving any bond or undertaking directed by law to be taken or approved by him, fifty cents. For taking justification on a bond, one dollar. For each day's services in criminal or civil cases, either on trial, examination, or hearing, five dollars. For abstract of judgment, one dollar. For copy of judgment, order, proceeding, or paper in his office, for each folio, twenty-five cents. For taking depositions in either civil or criminal cases, per folio, twenty-five cents. For each certificate, fifty cents. For making up and transmitting transcript and papers on appeal, two dollars.

All fees, including Constable's fees and those on trial and appeal, must be paid before the Justice shall be compelled to forward any papers on appeal. In cases where the venue shall be changed, the Justice before whom the action shall be brought, for all services rendered, including the making up and transmitting the transcript and papers, shall receive three dollars; and the Justice before whom the trial shall take place shall receive the same fees as if the action had been commenced before him, and the fees must be paid before the Justice shall be compelled to forward any papers. For taking an acknowledgment of any instrument, for the first name, fifty cents; for each additional name, twenty-five cents; for all services connected with posting estrays, including the transcript for the Recorder, three dollars; for celebrating marriage, and returning certificate to Recorder, five dollars; for hearing and accepting a complaint in criminal actions, three dollars; for issuing a warrant of arrest, two dollars; for taking bail after commitment, two dollars.

16. Constables, such fees as are now or hereafter may be allowed by law.

17. Supervisors shall receive four hundred dollars per annum, and salary shall cover all traveling expenses to and from their respective residences to the county seat.

Adopted.

Also:

Amend by adding a new section to said Act, to be numbered section nine, the same to read as follows:

SEC. 9. Section two hundred and three of said Act is hereby amended so as to read as follows:

Section 203. In counties of the forty-first class, the county officers shall receive, as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County Clerk, one thousand six hundred dollars per annum.
2. Clerk of Board of Supervisors, four hundred dollars per annum.
3. Sheriff, three thousand five hundred dollars per annum.
4. Superior Court Baliff, two hundred and forty dollars per annum.
5. Recorder, nine hundred dollars per annum.
6. Register of Deeds, five hundred dollars per annum.
7. Transcriber, sixteen hundred dollars per annum.
8. The Auditor, five hundred dollars per annum.
9. The Treasurer, one thousand dollars per annum.
10. The Tax Collector, five hundred dollars per annum.
11. The Assessor, two thousand dollars per annum.
12. The District Attorney, one thousand six hundred dollars per annum.
13. The Coroner, such fees as are now or may hereafter be allowed by law.
14. The Public Administrator, such fees as are now or may hereafter be allowed by law.
15. The Superintendent of Schools, one thousand five hundred dollars per annum.
16. The Surveyor, such fees as are now or may hereafter be allowed by law.
17. Justices of the Peace, such fees as are now or may hereafter be allowed by law.
18. Constables, such fees as are now or may hereafter be allowed by law, except that the Constable's mileage shall not exceed twenty-five cents for each mile traveled, in going only, in the discharge of his duties; *provided*, that in no case shall a Constable receive for service in vagrancy cases, for any one month, an amount in excess of the sum of forty dollars.

19. Supervisors, five dollars per day for each day while in service of the county, and twenty cents per mile for traveling from residence to the county seat.

Adopted.

Also:

Amend by adding a new section, to be numbered section ten, the same to read as follows:

Sec. 10. Section two hundred and fourteen of this Act is hereby amended so as to read as follows:

Section 214. In counties of the fifty-second class, the county officers shall receive, as compensation for the services required of them by law, or by virtue of their office, the following salaries, to wit:

1. County Clerk, twelve hundred dollars per annum.
2. Clerk of Board of Supervisors, two hundred dollars per annum.
3. Sheriff, fifteen hundred dollars per annum.
4. Jailer, twelve hundred dollars per annum.
5. Superior Court Bailiff, six hundred dollars per annum.
6. Recorder, four hundred dollars per annum.
7. The Auditor, two hundred dollars per annum.
8. The Treasurer, six hundred dollars per annum.
9. The Tax Collector, three hundred dollars per annum.
10. The District Attorney, six hundred dollars per annum.
11. The Assessor, six hundred dollars per annum, including a deputy, at the option of the Board of Supervisors, at a salary not exceeding one hundred dollars per month.
12. The Coroner, such fees as are now or may hereafter be allowed by law.
13. The Public Administrator, such fees as are now or may hereafter be allowed by law.
14. The Superintendent of Schools, one hundred dollars per annum.
15. The Surveyor, such fees as are now or may hereafter be allowed by law.
16. The Justice of the Peace, such fees as are now or may hereafter be allowed by law.
17. The Constables, such fees as are now or may hereafter be allowed by law.
18. The Supervisors shall not receive over two hundred and fifty dollars per annum, and shall be paid five dollars for each day actually employed in the discharge of the duties of their office, together with mileage, at the rate of twenty cents per mile, in going only, from their residence to the county seat, at each session of the Board.

Adopted.

Also:

Amend by renumbering section seven as section eleven, and section eight as section twelve.

Adopted.

Also:

Amend by inserting in line nine, section two, as renumbered, after the word "Jailer," the words "one thousand."

Adopted.

Also:

Amend by inserting in line twenty-two, section two, as renumbered, after the word "Transcriber," the words "four thousand eight hundred."

Adopted.

Also:

Amend by striking out of section three, line twenty-two, the word "twelve," and inserting in lieu thereof the following: "eighteen."

Adopted.

Also:

Amend by striking out of section seven, as amended, line forty-three, the words "two thousand four hundred," and inserting the following: "thirty-six hundred."

Adopted.

Also:

Amend by striking out of the title the figures "167, 168, 186, and 197," and inserting in lieu thereof the following: "168, 172, 173, 186, 194, 197, 200, 203, and 214," and the following after the word "officers:" "their appointment, duties, and compensation."

Adopted.

Bill read second time, ordered to print as amended, and on file for third reading.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

SECOND READING OF BILL.

Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read second time, and ordered to a third reading.

FIRST READING OF BILLS.

Assembly Bill No. 236—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 595—An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts.

Read first time, and placed on file for second reading.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes, for the purposes of this Act.

MOTION.

Senator Maher moved that the consideration of Assembly Bill No. 666 be made a special order for to-morrow, immediately after reading the Journal.

So ordered.

FIRST READING OF BILLS—(RESUMED).

Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Read first time, and placed on file for second reading.

Assembly Bill No. 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and placed on file for second reading.

Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to and providing for the repeal of sections twenty-two and twenty-three of article twelve of the Constitution, relative to a Board of Railroad Commissioners.

The roll was called, and Assembly Constitutional Amendment No. 4 refused adoption by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Gesford, McAllister, McGowan, Martin, Mathews, Mitchell, Öström, and Seawell—14.

NOES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Flint, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Williams, and Wilson—22.

LEAVE OF ABSENCE.

At three o'clock P. M. Senator Ford was granted leave of absence for one hour.

MOTION.

Senator Arms moved that Assembly Bill No. 349 be taken up and read the second time.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Senator Arms moved to amend by striking out all of section one and insert the following:

SECTION 1. Section one thousand two hundred and two of the Political Code is hereby amended to read as follows:

1202. At the same time and in the same manner as Inspectors and Judges of Election are now appointed in this State, two Ballot Clerks for each election precinct in the State shall be appointed, whose duty it shall be to have charge of the ballots on the day of election, and to furnish them to the voters in the manner hereinafter provided. Such Ballot Clerks shall be electors of the precinct from which they are appointed, and shall be paid the same compensation as Inspectors of Election. In making appointments of such Ballot Clerks, one of them shall be taken from the political party that polled the largest number of votes at the last preceding general election, and the other from the party that polled the next largest number of votes at such general election. They shall act as additional Clerks of Election when the polls are closed, and they shall

serve until the votes are counted and the returns are signed: *provided*, that whenever a general and a municipal election shall be held at the same time, there shall be appointed one additional Inspector, one additional Judge, and two additional Clerks in the manner now provided by law.

Adopted.

Also:

Amend title by striking out the following: "One thousand one hundred and forty-two," and insert the following: "One thousand two hundred and two."

Adopted.

Bill read second time, ordered to print and on file for third reading.

FIRST READING OF BILLS.

Assembly Bill No. 513—An Act to prevent the spread of contagious or infectious diseases among domestic animals.

Read first time, and placed on file for second reading.

Assembly Bill No. 696—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

Read first time, and placed on file for second reading.

Assembly Bill No. 581—An Act to amend section five hundred and one of the Civil Code, relating to street railways.

Read first time, and placed on file for second reading.

Assembly Bill No. 473—An Act to increase the revenue by the taxation of incomes.

Read first time, and placed on file for second reading.

SECOND READING OF BILL.

Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia, in 1855.

Read second time, and ordered to a third reading.

THIRD READING OF BILL.

Assembly Bill No. 512—An Act to amend an Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the exclusion of certain lands within any such district, approved February 16, 1889.

Read third time.

Senator Simpson moved that Senator Maher be appointed a special committee of one to amend, as follows:

By striking out of section nine, lines ninety, ninety-one, and ninety-two thereof, the words "or in the event any lands be excluded from said district by decree of Court as hereafter provided for, upon receipt of a certified copy of decree so made."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 512, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

MAHER, Committee.

The roll was called, and the report of the committee rejected by the following vote:

AYES—Messrs. Arms, Bailey, Broderick, Carpenter, Dunn, Maher, Mahoney, Mitchell, Orr, Simpson, and Williams—11.

NOES—Messrs. Berry, Biggy, Burke, Denison, Earl, Fay, Ford, Gesford, Goucher, Harp, McAllister, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, and Voorheis—19.

The question then being on the final passage of the bill.

The roll was called, and Assembly Bill No. 512 finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Campbell, Denison, Earl, Fay, Flint, Ford, Gesford, Goucher, Hoyt, McAllister, Maher, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, and Wilson—24.

NOES—Messrs. Broderick, Burke, Carpenter, Dunn, Everett, Hart, Mahoney, Mitchell, Simpson, and Williams—10.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Maher gave notice that on to-morrow he would move to reconsider the vote whereby Assembly Bill No. 512 was this day finally passed.

MOTION.

Senator Ford moved to rescind the order whereby Assembly Bill No. 666 was made a special order for to-morrow, immediately after reading the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Denison, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hoyt, McAllister, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Streeter, Voorheis, Whitehurst, and Wilson—25.

NOES—Messrs. Bailey, Broderick, Carpenter, Dunn, Hart, McGowan, Maher, Mitchell, Simpson, and Williams—10.

THIRD READING OF BILL.

Assembly Bill No. 666.—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes, for the purposes of this Act.

During the third reading—

POINT OF ORDER.

Senator Maher raised a point of order that the hour for consideration of urgency file, as per Senate rules, had arrived.

The President pro tem. declared the point of order well taken.

URGENCY FILE.

The hour of three o'clock and thirty minutes having arrived, the Senate proceeded to the consideration of urgency file, as per Senate rules.

Senate Bill No. 572—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Passed on file, to retain its place.

RESOLUTION.

By Senator Denison:

Resolved, That Senate Bills Nos. 333, 483, 736, 514, 484, 558, 228, 780, 568, 554, 626, 746, 594, 750, 680, 121, 282, 251, 505, 118, 728, 674, 295, 737, 426, and 161, and Assembly Bills Nos. 396, 66, 272, 449, 540, 663, and 772 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the above bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said Senate and Assembly Bills shall be read the first, second, and third times, and placed upon their passage.

CALL OF THE SENATE.

Senator Ostrom moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McGowan, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson.

The Sergeant-at-Arms was directed to close the doors.

MOTION.

Senator Seawell moved to dispense with further proceedings under the call of the Senate.

So ordered.

The Sergeant-at-Arms was directed to open the doors.

The roll was then called on the adoption of the resolution, and the same was adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Hart, Hoyt, Langford, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—36.

NOES—None.

CASES OF URGENCY—SECOND READING OF BILL.

Senate Bill No. 333—An Act to amend section three hundred and twenty-one of the Penal Code of California, relating to lotteries and lottery tickets.

Read second time.

The following committee amendment was submitted:

Amend by striking out, on line seventeen, page two, printed bill, the word "felony," and insert in lieu thereof "misdemeanor."

Adopted.

Also:

Strike out all of lines eighteen and nineteen, and insert in lieu thereof the following: "More than five hundred dollars, or by imprisonment in the county jail not more than six months, or by both such fine and."

Adopted.

Bill ordered to print as amended, and to a third reading.

SECOND AND THIRD READING OF BILL.

Senate Bill No. 483—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 1, 1872, by adding a new section thereto, to be known as section six hundred and ninety and one half, for the purpose of defining and enforcing section six hundred and ninety of said Code.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Dunn, Everett, Flint, Ford, Goucher, Harp, Hoyt, McAllister, Maher, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.

NOES—Messrs. Burke, Carpenter, Denison, Fay, Gesford, and Martin—6.

Title read and approved.

FIRST, SECOND, AND THIRD READING OF BILL.

Senate Bill No. 736—An Act to prevent compulsory prostitution of women, and the importation of Chinese or Japanese women for immoral purposes, and to provide penalties therefor.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Senate Bill No. 514—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California, approved March

9) 1874 relating to the publication of assessment notices of incorporated companies.

The following committee amendment was submitted:

Amend by adding the words, "this State of" after the word "within," in line seven.

Adopted.

Also:

Amend line four of printed bill before the word "business," by inserting the words "exclusive and."

Adopted.

Senator Maher moved to amend by striking out section two.

Adopted.

Read second time, ordered to print and engrossment as amended, and to a third reading.

SECOND AND THIRD READINGS OF BILLS.

Senate Bill No. 484—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon, without parting with the possession thereof, and to prevent fraudulent sales of unbranded live stock.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

YEAS—Messrs. Burke, Beardsley, Campbell, Carpenter, Jackson, Jones, Fox, Flint, Ford, Goodell, Harshbarger, Hays, Hart, Hoge, Maher, McManey, Martin, Matthews, Mitchell, Norton, Ragsdale, Seawell, Simpson, Streeter, Treadwell, Whitcomb, Williams and Williams—12.

NAYS—Messrs. Burns and McManaway—2.

Title read and approved.

SUBSTITUTION.

Senator Simpson was granted unanimous consent to withdraw Senate Bill No. 558, and to substitute therefor Assembly Bill No. 663.

Senate Bill No. 558 withdrawn and Assembly Bill No. 663 substituted therefor on case of urgency file.

FIRST, SECOND, AND THIRD READINGS OF BILL.

Assembly Bill No. 663—An Act entitled an Act to regulate the practice of veterinary medicine and surgery in the State of California.

Read first and second times.

Senator Gesford moved to amend, as follows:

By striking out of section one line two the word "two (2)" and inserting the following: "two (2)."

The roll was called, and the amendment lost by the following vote:

YEAS—Messrs. Burke, Jones, Goodell, McManaway and 187—0.

NAYS—Messrs. Burns, Beardsley, Campbell, Carpenter, Fox, Flint, Ford, Goodell, Harshbarger, Hays, Hart, Hoge, Maher, McManey, Martin, Matthews, Mitchell, Norton, Ragsdale, Seawell, Streeter, Treadwell, Whitcomb, Williams and Williams—12.

Assembly Bill No. 663 was then read the third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Broderick, Campbell, Carpenter, Denison, Everett, Fay, Ford, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Mathews, Mitchell, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Williams—26.
NOES—Messrs. Berry, Burke, Dunn, Gesford, McGowan, and Martin—6.

Title read and approved.

At four o'clock and forty-five minutes P. M., on motion of Senator Goucher, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 723—An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Also: Senate Bill No. 66—An Act making an appropriation to pay the claim of F. Marion Wells.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Senate Bill No. 777—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Also: Senate Bill No. 91—An Act to amend section three thousand four hundred and forty-two of the Civil Code of the State of California.

Also: Senate Bill No. 780—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury to the uses of the Mendocino State Insane Asylum.

Also: Senate Bill No. 580—An Act entitled an Act to appropriate money to pay the claim of Patrick Begley, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners.

Also: Senate Bill No. 508—An Act exempting agricultural, horticultural, and viticultural occupations from license taxation.

Also: Senate Bill No. 532—An Act entitled an Act to appropriate money to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 231—An Act to provide for the payment of advertising the funded debt, and make an appropriation therefor.

Also: Senate Bill No. 232—An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California," and to make an appropriation therefor.

Also: Senate Bill No. 239—An Act to provide for the payment for advertising the San Francisco Depot Act, and make an appropriation therefor.

Also: Senate Bill No. 116—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section to said Civil Code, to be known as section four hundred and thirty-three, permitting the establishment of mutual insurance companies—ordered back from enrollment to be returned to the Assembly for reconsideration.

RAGSDALE, Chairman.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Voorheis, Assembly messages were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year.

Also: Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-fourth fiscal year.

Also: Senate Bill No. 215—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 217—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 184—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Also: Refused to adopt Senate Constitutional Amendment No. 18—To propose to the people of the State an amendment to the Constitution of the State, relative to the judiciary department.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 783—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of Lieutenant-Governor and Senators for the forty-fourth fiscal year.

Also: Senate Bill No. 784—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year.

Also: Adopted Senate Concurrent Resolution No. 11—Relative to approving the charter of the town of Grass Valley, Nevada County, California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted, and ordered immediately transmitted to the Senate, Senate Concurrent Resolution No. 10—Relative to adjournment *sine die*.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of March, adopted Senate Concurrent Resolution No. 9—Relative to proceedings of Blaine memorial.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendments to Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,'" approved March 20, 1891, by amending sections one, eleven, and twelve.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor William Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 186, 742, 743, 215, 217, 184, 783, 784, and 781, and Senate Concurrent Resolutions Nos. 10, 11, and 9 ordered to enrollment.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 323—An Act to amend section one thousand four hundred and two of the Civil Code, relating to the distribution of community property on the death of the husband.

SUBSTITUTION.

Senator Ostrom asked consent to withdraw Senate Bill No. 323, and to substitute therefor Senate Bill No. 343, they being identical bills.

The roll was called, and the consent of the Senate granted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Dunn, Earl, Fay, Ford, Harp, Hoyt, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Shippee, Simpson, and Whitehurst—24.

NOES—Messrs. Maher, Voorheis, and Wilson—3.

Senate Bill No. 323 withdrawn, and Senate Bill No. 343 substituted therefor.

THIRD READING OF BILL.

Senate Bill No. 343—An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Denison, Earl, Fay, Ford, Gesford, Goucher, Harp, Hoyt, McGowan, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, and Whitehurst—24.

NOES—Messrs. Arms, Dunn, Hart, Maher, Martin, and Voorheis—6.

Title read and approved.

MOTION.

Senator Ostrom moved that Senate Bill No. 343 be immediately transmitted to the Assembly.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 426—An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board.

Also: Senate Bill No. 65—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Also: Senate Bill No. 697—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

RAGSDALE, Chairman.

GENERAL FILE—(RESUMED).

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Passed on file.

Senator Gesford moved that Senate Concurrent Resolution No. 12 be taken up, read, and disposed of.

So ordered.

SENATE CONCURRENT RESOLUTION No. 12.

Approving the charter of the City of Napa in Napa County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on March 9, 1893.

WHEREAS The City of Napa in Napa County, California, is now, and at all times herein referred to was a city containing a population of more than three thousand five hundred, but less than ten thousand; and whereas, at an election held in said city on December thirty-first, eighteen hundred and ninety-two, in accordance with law and the provisions of section eight of article eleven of the Constitution of this State, a Board of Fifteen Freeholders duly qualified, was duly elected in and by said city, and by the qualified electors thereof, to prepare and propose a charter for said city, which said Board of Fifteen Freeholders did, within the ninety days next after such election, prepare and propose a charter for said city, which said charter was, on the fourteenth day of January, eighteen hundred and ninety-three, signed in duplicate by a majority of the members of said Board of Fifteen Freeholders, and was on said last mentioned day returned, one copy thereof to the President of the Board of Trustees of said city and the other copy thereof to the Recorder of Deeds of the county of Napa (within which county said city is situated); and whereas, such proposed charter was then published in one daily paper of general circulation in said city, to wit: in the Napa "Daily Register," for more than twenty days, such publication having been commenced within twenty days after the completion of said proposed charter; and whereas, said charter was, within not less than thirty days after the completion of said publication, submitted by the legislative authority of said city, to wit: by the Board of Trustees thereof to the qualified electors of said city at a special election previously duly called, and thereafter held in said city on March ninth, eighteen hundred and ninety-three; and whereas, the returns of said election were duly canvassed by said Board of Trustees of the City of Napa at its meeting held on March ninth, eighteen hundred and ninety-three at eight o'clock P. M. of that day, and after said election, and said Board found as the result of said canvass and did duly determine and declare that there were cast at said election four hundred and twenty-four votes in favor of said charter, and two hundred and seventy votes against said charter, and no more and that said charter had been duly ratified and adopted by a majority of the qualified electors of said city voting at such election; and whereas, at such election a majority of the qualified electors of said city voting thereat did vote in favor of and did ratify and adopt such

charter; and whereas, said charter so ratified is now submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of section eight of article eleven of the Constitution of the State of California; and whereas, said charter is in the words and figures following, to wit:

CHARTER FOR THE CITY OF NAPA.

Prepared and proposed by the Board of Fifteen Freeholders, elected December thirty-first, eighteen hundred and ninety-two, in pursuance of the provisions of section eight of article eleven of the Constitution of the State of California.

SECTION 1. The corporation now existing and known as the City of Napa, shall continue and be a body politic and corporate, and by that name shall be known and have perpetual succession, to sue and defend in all matters, suits, and proceedings in all Courts and places, to make contracts, purchase, take, hold, and lease real and personal property within its corporate limits, for the use of said corporation, and to lease, sell, and dispose of the same, and may adopt and use a corporate seal and alter the same at pleasure.

SEC. 2. The boundaries of said city shall be as follows: Commencing at the northwest corner of Spencer's Addition, on Lincoln Avenue; thence eastwardly along the center of said avenue to Trancas Street; thence southerly along the center of said street to its intersection with Lawrence Street, in Cornwell's Addition; thence at right angles eastwardly to Napa River; thence down said river to the center of First Street; thence along the middle of the county road eastwardly and southerly to the south line of East Napa; thence along said south line of East Napa westwardly to the center of Napa River; thence down said river to the south line of Napa Abajo; thence along said line westwardly to the southwest corner of said Napa Abajo; thence northerly to the southeast corner of Eaton's land; thence along the south line of said Eaton's land westwardly to the Sonoma road; thence northerly along the center of said road to the Browns Valley road; thence along the center of said Browns Valley road westwardly to Ornduff's southeast corner; thence along Ornduff's east line northerly to the center of Napa Creek; thence down said creek eastwardly to the west line of Spencer's Addition; thence northerly to the place of beginning.

SEC. 3. Said city shall be divided into five wards, numbered and described as follows:

FIRST WARD.

Beginning at the point of intersection of the center lines of Oak Street and Grant Avenue, in the City of Napa; thence westerly along the center line of Oak Street to its intersection with the center line of Franklin Street; thence northerly along the center line of Franklin Street to the center line of Pearl Street; thence down the center line of Pearl Street to the center line of Coombs Street; thence northerly along the center line of Coombs Street to the center of Napa Creek; thence down the thread of said creek to the center line of Brown Street; thence southerly along the center line of Brown Street and Grant Avenue to the point of beginning.

SECOND WARD.

Beginning at the intersection of the center lines of Oak and Franklin Streets; thence along the center line of Oak Street westerly to the western boundary of the City of Napa; thence along the said western boundary northerly to the center line of First Street; thence westerly along the center line of First Street to the western boundary of the City of Napa; thence northerly along said western boundary to the center of Napa Creek; thence down the thread of said Napa Creek to its intersection with the center line of Coombs Street; thence along the center line of Coombs Street southerly to the center line of Pearl Street; thence along the center line of Pearl Street westerly to the center line of Franklin Street; thence along the center line of Franklin Street southerly to the place of beginning.

THIRD WARD.

Beginning at the intersection of the center lines of Oak and Franklin Streets; thence along the center line of Oak Street easterly to the center line of Grant Avenue; thence along the center line of Grant Avenue northerly to the intersection of the center line of Brown Street; thence southerly along the continuation of the center line of Brown Street to the center line of Napa River; thence down the center of Napa River southerly to the southerly limit of the City of Napa; thence westerly along said southerly limit to the southwest corner of Napa Abajo; thence northerly and westerly, following said limit, to a point in the center line of Oak Street extended; thence easterly along the center line of Oak Street to the place of beginning.

FOURTH WARD.

Beginning at the intersection of the center line of Pearl Street with the center line of Napa Creek; thence easterly along the center line of Pearl Street to the center of Napa River; thence down the thread of Napa River to the center line of First Street; thence along the center line of First Street to the county road which is the eastern limit of the city of Napa; thence southerly along said county road to the southerly line and southeast

corner of East Napa; thence along said southerly line of East Napa westerly to the center of Napa River; thence up the center of Napa River to its intersection with the continuation of the center line of Brown Street; thence along said center line of Brown Street northerly to the place of beginning.

FIFTH WARD.

Beginning at the intersection of the center line of Pearl Street with the center line of Napa Creek; thence easterly along the center line of Pearl Street to the center line of Lawrence Street; thence northerly along the center line of Lawrence Street to the center line of Trancas Street; thence north along the center line of Trancas Street to the center line of Lincoln Avenue; thence westerly along the center line of Lincoln Avenue to the easterly line of York Street in Spencer's Addition; thence southerly along the easterly line of York Street and the continuation thereof, to the center of Napa Creek; thence down the thread of said creek to the place of beginning.

From each of which said wards one member of the Council, in section four hereinafter named, shall be elected.

SEC. 4. The corporate powers of the City of Napa shall be vested in a City Council composed of five members, one of whom shall be elected by each ward in said city, from among its qualified electors, otherwise competent, and a Mayor, who shall be elected at large.

SEC. 5. The officers of said city shall be a Mayor, who shall hold office for two years and until his successor is elected and qualified; a City Council, composed of five members, as provided in section four, who shall hold office for four years and until their successors are elected and qualified; a City Marshal; a City Treasurer; a City Assessor; a City Clerk; a City Tax Collector; a City Attorney; a City Engineer; and a City Superintendent of Streets, all of whom shall hold office for two years and until their successors are elected and qualified. An election shall be held every two years, by the qualified electors of the city, on the first Monday in May, for the election of two or three members of the City Council, a Mayor, an Engineer, who shall be ex officio Superintendent of Streets, a City Clerk, who shall be ex officio Treasurer and Tax Collector; a Marshal, who shall be ex officio Assessor and License Tax Collector.

SEC. 6. The first election under this charter shall be held on the first Monday in May, eighteen hundred and ninety-three, at which time a full Council shall be elected, two of whom shall hold office until the first Monday in June, eighteen hundred and ninety-five, and until their successors are elected and qualified, and three of whom shall hold office until the first Monday in June, eighteen hundred and ninety-seven, and until their successors are elected and qualified; and the Council so elected at said first election shall decide by lot the two members that shall hold office until the first Monday in June, eighteen hundred and ninety-five, and they shall also decide by lot the three that shall hold office until the first Monday in June, eighteen hundred and ninety-seven. Said officers shall take office at twelve o'clock noon, on the first Monday of June next after their election or appointment.

SEC. 7. All elections shall be held in accordance with the general election laws of the State of California, so far as the same may be made applicable; and no person shall be entitled to vote at such election unless he shall be a qualified elector of the county of Napa, enrolled upon the Great Register thereof, and shall have resided in such city and in the voting precinct in which he offers to vote for at least thirty days next preceding such election. The Council shall give such notice of each election as may be prescribed by ordinance, shall appoint Boards of Election and fix their compensation, and establish and change election precincts and polling places; *provided*, that no part of any ward shall be attached to any other ward, or part thereof, in forming election precincts. At all elections the last printed register of the county of Napa shall be used, and any elector whose name is not upon such printed register shall be entitled to vote, upon producing and filing with the Board of Election a certificate, under the hand and official seal of the County Clerk of the county of Napa, showing that his name is registered and uncanceled upon the Great Register of said county; *provided*, he is otherwise entitled to vote.

SEC. 8. No person shall be eligible to hold any office in the City of Napa, whether filled by election or appointment, unless he is a resident and elector therein, and shall have resided in such city for one year next preceding the date of such election or appointment. And no person shall be eligible to the office of Councilman who has not resided in such city for one year, and in the ward from which he is selected at least six months next preceding his election, and he must continue a resident of such ward during the term of his office, and if he fail to so continue a resident of such ward his office shall, by reason thereof, immediately become vacant. In case of a vacancy arising from any cause in any of the offices made elective by this charter, the City Council shall order and give notice of an election to fill such vacancy, unless the unexpired term of such office shall be less than one year, in which case the Council shall, if necessary, fill said office by appointment.

SEC. 9. The City Council shall appoint a City Attorney, who shall be an attorney at law, and all non-elective officers provided for in this chapter, and may remove them for cause and put others in their place.

SEC. 10. The compensation of the officers of said city shall be as follows: The Mayor and Councilmen shall receive no compensation for their services except when sitting as

a Board of Equalization, when they shall receive not to exceed five dollars per day each, for each day actually so employed, which shall not exceed in the aggregate fifteen dollars each. The Assessor, Treasurer, Marshal, Clerk, Collector, City Attorney, Engineer, and Superintendent of Streets, such sums per annum as the Council may determine; *provided*, that the annual compensation so allowed the said officers shall not exceed the following sums, to wit: The Clerk and ex officio Tax Collector and Treasurer, not to exceed eight hundred dollars per annum; the Marshal and ex officio Assessor and License Collector, not to exceed five hundred dollars per annum, and such fees and commissions as shall hereinafter be provided for; the City Attorney, not to exceed five hundred dollars per annum, and such fees and commissions as shall hereinafter be provided for; the City Engineer and ex officio Superintendent of Streets, not to exceed three hundred dollars per annum, and such fees as may be provided by ordinance and the laws of the State of California.

SEC. 11. The City Council shall, by ordinance, fix the times and places of holding their regular meetings, and may at any time be convened by the Mayor, who shall call a meeting of the Council whenever requested in writing by two or more of its members.

SEC. 12. At all meetings of the Council a majority shall constitute a quorum to transact business; a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as the Council previously by ordinance may have prescribed. The Mayor shall preside at all meetings of the Council, but shall be entitled to no vote. In the absence of the Mayor at any meeting of the Council, if three members be present they may choose one of their number as presiding officer of such meeting. No ordinance shall be legal or valid unless passed by the votes of at least three members of the Council and approved by the Mayor; *provided*, if the Mayor shall, for any cause, fail or refuse to approve such ordinance before the next regular meeting of the Council, such ordinance may be put upon its final passage, and if it receives four votes of the Council in favor of its adoption, it shall become a valid and legal ordinance without such approval. The Council may establish rules for their own proceedings; provide for the punishment of disorderly conduct in their presence on the part of a member or other person; shall keep a journal of their proceedings, in which shall be entered the ayes and nays taken on every question acted upon by them, and their proceedings shall be public.

SEC. 13. All officers of the corporation, before entering upon the duties of their office, shall take the oath prescribed in the Constitution, and the Marshal, Assessor, Treasurer, Collector, Engineer, and Superintendent of Streets shall give bonds for the faithful performance of their duties, payable to the corporation by its corporate name, to be approved by the Council, in such penal sum as shall have been prescribed by ordinance; *provided*, that the Treasurer shall give one bond only, which shall cover all his duties as both Treasurer and Tax Collector, and the City Engineer shall give one bond only, which shall cover all his duties as both Engineer and Superintendent of Streets. If from any cause such bonds shall at any time become insufficient, in the opinion of the Council, they may require any officer to furnish such new or additional bonds as they may deem necessary.

SEC. 14. The City Council shall cause to be published for one time in some newspaper in the city of Napa, all ordinances, certified by the Clerk, which shall have been passed by the Council and approved by the Mayor, or which shall have been passed over his disapproval, or refusal, or failure to approve, and no ordinance shall be enforceable until ten days after its publication. It shall not be necessary in any action, civil or criminal, to plead or prove the organization or existence of the corporation of the city of Napa, nor the passage, existence, or validity of any ordinance thereof, and all Courts shall take judicial cognizance thereof, without proof, unless their validity is assailed, when the burden of proof shall be on the party assailing the same.

SEC. 15. Should any Councilman remove from the ward in which he was elected, or any other officer remove from the city, or should any officer refuse or neglect to qualify within ten days after his election, or if a bond is required of him, neglect or refuse for said time to give bond, his office shall become and be declared vacant by the Council.

SEC. 16. The Council shall, in the months of March and September in each year, cause to be made out and published in some newspaper in the city, a full and correct statement, certified and signed by the Mayor, of all moneys received, and to whom and for what purpose expended, during the six months next preceding such statement.

SEC. 17. The City Council shall have power: To pass ordinances not in conflict with the Constitution and laws of this State or of the United States; to manage and take care of the property and finances of the city; to establish, build, and repair bridges; to establish, lay out, alter, keep open, improve, and repair streets, sidewalks, alleys, squares, and other public highways and places within the city, and to drain, sprinkle, and light the same; to remove all obstructions therefrom; to establish the grades thereof and enforce conformity thereto; to grade, pave, macadamize, gravel, and curb the same, in whole or in part, and to construct gutters, culverts, sidewalks, and cross-walks therein, or upon any part thereof, and generally to manage and control all such bridges, streets, lanes, alleys, squares, highways, and places; to establish, construct, and maintain drains and sewers; to establish and regulate a fire department, and provide such means, engines, apparatus, measures, or materials for the prevention or extinguishment of fires, as they may deem necessary to protect the city from fire; to provide the streets and city buildings with artificial lights and water necessary for their proper use; to permit, under such restrictions as they may deem proper, the laying of railroad tracks, and the running of cars drawn

by horses, steam, electricity, or other power thereon, and the laying of gas or water pipes in the public streets, and to construct and maintain, and to permit the construction and maintenance of telegraph, telephone, and electric light lines therein; and they shall impose such restrictions and conditions upon the location and construction of gas, electric light, and waterworks, and poles, wires, and poles as shall secure the least possible public or private inconvenience, and they shall provide for the enforcement of such restrictions and conditions; to contract for the lighting the streets and public buildings of the city with gas, electricity, or other artificial lights, and for sprinkling the improved streets of the city—any street that has been graded, curbed, and graveled, macadamized or paved, being an improved street within the meaning of this clause—no such contract to be for a longer period than one year, and the same shall be let to the lowest bidder, only after notice calling for bids for such lighting or sprinkling has been given for at least five days in some daily newspaper published in the City of Napa; to improve the rivers and streams flowing through the City of Napa; to widen, straighten, and deepen the channels thereof, and remove obstructions therefrom; to build, alter, improve, keep in repair, and control the waterfront of said city; to build, alter, improve, and keep in repair wharves, and to fix the rates of wharfage and transit, levy dues upon vessels and commodities, and to provide for the collection thereof; to provide for the regulation of berths, landing, stationing, and removing of steamboats, sailing vessels, rafts, and all other water crafts, and to fix the rate of speed at which steamboats may run along the waterfront of the city; to establish fire limits, with proper regulations; to license, for purposes of regulation and revenue, all and every kind of business transacted or carried on in said city, and all circuses, shows, exhibitions, and lawful games carried on therein; to fix the rates of license upon the same, and provide for the collection thereof, by suit or otherwise; to prohibit or suppress all houses of ill-fame, all occupations, houses, places of amusement, exhibitions, and practices which are against good morals and contrary to public order and decency, or dangerous to the public safety; to levy and collect annually a tax upon all property, real and personal, in said city, which shall be apportioned as follows: A tax for "General Fund," not to exceed forty cents on each one hundred dollars of taxable property, and a tax for a "Street Fund," not to exceed thirty-five cents on each one hundred dollars of taxable property, said "Street Fund" to be used exclusively for repairing and sprinkling improved streets, and a tax for a "Sewer Fund," not to exceed ten cents upon each one hundred dollars of taxable property, said "Sewer Fund" to be used exclusively for the constructing, repairing, and flushing sewers, and to prescribe the manner of making assessments and collecting such tax. Taxes so levied shall become a lien upon the real estate chargeable therewith, from the first Monday in March preceeding the levy and until paid, and such lien shall take precedence of all mortgages and other liens, except the lien for State and county taxes; to impose and collect from every male inhabitant between the ages of twenty-one and sixty years an annual street poll tax not exceeding two dollars; *provided*, that any member of a volunteer fire company in the City of Napa, shall be exempt from such tax, and said poll tax shall be collected by the City Marshal, and as a compensation for said services he shall receive fifteen per cent on all such poll taxes he shall collect, over one thousand dollars in aggregate; to impose and collect a tax of not exceeding five dollars per annum on every dog found at large within the corporate limits of the city, which said dog tax shall be collected by the City Marshal; to regulate or prevent the keeping of gunpowder, hay, and other dangerous or inflammable substances within the city; to require all rubbish, slush, brush, debris, decayed animal, vegetable, or other offensive matter, standing pools of water, and everything injurious to health to be removed from all lands and premises, and from the street in front thereof, by and at the expense of the owners or occupants of such land or premises, and upon his or their default in causing such removal, after notice to such owner or occupant, to cause the same to be removed, and the expense of such removal shall become a lien upon such land and premises, and a notice of such lien may be recorded in the office of the Recorder of Napa County; said lien may be enforced in the same manner as provided for the enforcement of liens of mechanics and others upon real property by chapter two of title four, part three of the Code of Civil Procedure of this State; to prevent or regulate the running at large within the city limits of any animals; to establish a pound, and to authorize the destruction or impounding of any animals running at large, and to appoint a Poundmaster, or to confer the duties of Poundmaster upon the City Marshal, and to fix his compensation as such; to appoint one or more policemen or night watchmen, regulate their duties and terms of office, fix their compensation; to establish, maintain, and regulate a City Prison; *provided*, that until otherwise ordered by the Council, the county jail of the County of Napa shall be the city prison, and the Sheriff of said county shall be the City Jailer, with like duties and powers as are imposed upon and vested in him in relation to the prisoners committed to his custody under the statute, and for boarding and keeping of said city prisoners he shall be allowed a reasonable compensation, to be determined by the City Council and paid out of the City Treasury, which compensation shall in no case exceed the sum paid by the county for the boarding of prisoners confined in jail under the statute; to provide for the formation of a chain-gang for persons convicted of breaches or violations of city ordinances, and for their proper employment for the benefit of the city; to provide for the punishment by fine or imprisonment, or both, of an act prohibited by an ordinance, in which case such act may be prosecuted by the City Attorney in the name of the people of the State of California, before any Justice of the Peace having his office within the corporate limits of the City of Napa, in like manner as misdemeanors are prosecuted

under the statute, and said Justice's Court shall have jurisdiction over breaches and violations of city ordinances and non-compliance therewith, and the proceeding in such cases shall be in like form as proceedings in criminal cases under the statute; *provided*, that no fine for any one offense shall exceed one hundred dollars, and no judgment of imprisonment for any one offense shall exceed one hundred days; an alternate judgment may be rendered imposing a fine, and on failure to pay the same, imprisoning the person one day for each dollar of such fine; such imprisonment shall be in the city prison; in proceedings for the breach, violation of, or non-compliance with any city ordinance, Justices of the Peace, Constables, Police Officers, and the Marshal may receive the same fees as are allowed for similar services in cases of misdemeanors, prosecuted under the statute, and all fines and penalties imposed and collected in proceedings for the breach of, violation of, or non-compliance with a city ordinance, shall be applied to the payment of the costs of the proceedings, including the sum of ten dollars, which the City Attorney shall receive as his fee, and the remainder, if any, shall be paid into the City Treasury; to establish a Board of Health and prescribe their duties; to provide for the opening and closing of the draw, and for the repairs of the Third Street bridge; to regulate the speed of railway engines, and to require railroad companies either to station flagmen or place sufficient automatic warning signals and signal bells at street crossings. The Council may assess, levy, and collect any other tax that may be authorized by the laws of the State of California; *provided*, such levy for all purposes for any one year shall not exceed one dollar on each one hundred dollars of the assessed value of all real and personal property in the city. All street poll taxes collected under the provisions of this charter shall be paid into the Street Fund. In addition to the powers herein given, the Council shall have power to do and perform any and all other acts and things necessary and proper to carry out the provisions of this charter, and to enact and enforce within the limits of the City of Napa, all other local, police, sanitary, and other regulations as do not conflict with the general laws of the State of California.

SEC. 18. Unless otherwise provided in this charter, all contracts for work or supplies of any kind for one hundred dollars or more, shall be let to the lowest bidder, after notice given by posting for five days on or near the Council chamber door, or by publishing the same for five days in some newspaper in the city; and all sales of property belonging to the city shall be at public auction to the highest bidder, upon such terms and conditions as the Council may direct and after like notice given.

SEC. 19. Whenever the Council shall judge it necessary for the city to take or damage private property for public use, the Council may direct proceedings to be taken by the City Attorney, under title seven, part three, of the Code of Civil Procedure of the State of California, to condemn the same.

SEC. 20. All streets, lanes, alleys, places, and courts in said city now open or dedicated, or which may hereafter be opened or dedicated to public use, and of which the grade and width have been legally established, are and shall be open public streets for the purposes of this section; upon such open public streets in said city all "improvements," as defined in the Act of the Legislature of the State of California entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March eighteenth, eighteen hundred and eighty-five, shall be done by authority of the Council, and the expenses thereof paid under and in accordance with the provisions of the said Act, and of any Acts which may be passed in amendment thereof, or supplemental thereto, or in substitution thereof, except that when the work or improvement ordered is a sewer, the city shall pay out of the proper fund all the cost of constructing such sewer over fifty cents per lineal foot of the lots and lands fronting on such sewer; and the Council is vested with jurisdiction to change the grades of said streets, lanes, alleys, places, and courts, and fix the width thereof; the Council is also invested with jurisdiction to vacate any of said streets, lanes, alleys, places, and courts, on the consent in writing of not less than two thirds of the frontage on such street, lane, alley, place, or court to be vacated.

SEC. 21. The Council is empowered to open, straighten, extend, and widen streets, and to modify the boundaries thereof, and to determine the property benefited thereby, and to assess the benefits and damages thereof, and to assess the expenses of such improvement upon the property benefited; but all such proceedings shall be conducted under the provisions of the laws of the State of California, applicable thereto in force at the time any such improvement is ordered.

SEC. 22. The City Council shall prescribe by ordinance the duties of Marshal, Assessor, Treasurer, Engineer, and Superintendent of Streets; *provided*, that the Treasurer, as Collector, shall collect all taxes which shall be levied by the Council, and which shall be paid without suit.

SEC. 23. The City Council shall have power, and it shall be their duty, to provide by ordinances a system for the assessment, levy, and collection of all city taxes, not inconsistent with the provisions of this charter, which system shall conform, as nearly as the circumstances of the case may permit, to the provisions of the laws of this State in reference to the assessment, levy, and collection of State and county taxes, except as to the times for such assessment, levy, and collection, and except as to the officers by whom such duties are to be performed. All taxes assessed, together with any percentage imposed for delinquency, and the costs of collection, shall constitute liens on the property assessed from and after the first Monday in March in each year, which liens may be enforced by a summary sale of such property, and the execution and delivery of all necessary certi-

cates and deeds therefor, under such regulations as may be prescribed by ordinance or by actions in any Court of competent jurisdiction to foreclose such liens; *provided*, that any property sold for such taxes shall be subject to redemption within the time and in the manner provided, or that may hereafter be provided by law for the redemption of property sold for State or county taxes. All deeds made under any sale of property for taxes or special assessments under the provisions of this charter shall have the same force and effect in evidence as is or may hereafter be provided by law for deeds for property sold for non-payment of State or county taxes; *provided*, the City Council may, however, by ordinance, prescribe any other mode of collecting delinquent taxes or assessments other or in addition to that prescribed in this charter, if the same be consistent with the Constitution and laws of this State, or the City Council may adopt any law or laws which may be passed by the Legislature of the State of California authorizing the assessment, levy, and collection of city taxes by the county officers.

SEC. 24. For services in collecting taxes under this charter, the City Attorney shall receive a fee in each suit equal to ten per cent on the amount received, if paid before judgment, and if not so paid, twenty per cent on such amount; *provided*, that such fee shall in no case be less than five nor more than twenty-five dollars, and such fee and costs shall be taxed as costs, and judgment given therefor. All officers shall perform such services as may be required of them under this charter, without the payment of fees in advance, but they may charge and receive, to their own use, such fees as are allowed for similar services in other cases.

SEC. 25. To enforce the collection of the poll tax and dog tax hereinbefore authorized, the Marshal may seize so much of any and every species of personal property whatever, owned or claimed by any person liable to pay any such tax, or property, or money in the possession of or due from any other person and belonging to any such person refusing or neglecting to pay such tax as will be sufficient to pay such tax and costs, not to exceed in each case two dollars, and may sell the same at any time or place upon giving verbal notice of one hour previous to such sale, and any person indebted to another liable to pay any such tax, but who has neglected or refused to pay the same, shall be liable to pay said tax for such other person after service upon him by the Marshal of a notice in writing, stating the name or names of the person or persons so liable and owing such tax, and such debtor may deduct the amount thereof from such indebtedness; the Marshal, after having deducted the tax for which such property was sold, and the costs hereinbefore provided, shall return the overplus of the proceeds to the owner. A delivery of the possession of the property by the Marshal to the purchaser at any such sale shall be a sufficient title in the purchaser, without exacting a certificate of purchase thereof of the Marshal; *provided*, that the City Council may, at their discretion, provide any other legal mode of enforcing the payment of said taxes.

SEC. 26. The revenue year shall commence at twelve o'clock M. of the first Monday in March each year, and the taxes levied by the Council in each year upon real and personal property shall become a lien upon the real estate of the owner at twelve o'clock M. on said day, and continue a lien thereon until paid.

SEC. 27. The revenue and income of the city of each revenue year shall be devoted exclusively to the payment of liabilities and expenses of that year, and the Council shall not create, allow, audit, nor permit to accrue any debts or liabilities above the actual revenues for such year, and every liability assumed, claim audited or allowed, or warrant drawn in excess of the annual income, shall be void; *provided*, that any money remaining in the treasury unappropriated at the end of such year, may be applied to the expenditures of the succeeding year.

SEC. 28. The style or enacting clause of all ordinances of the City of Napa shall be: "Be it ordained by the Mayor and Council of the City of Napa, as follows;" and all ordinances shall be signed as nearly as may be in the following form: "Adopted and approved this ____ day of ____, A.D. ____; Attest: ____, A. B., City Clerk; C. D., Mayor," or when such ordinance is passed over the Mayor's refusal or failure to approve: "Adopted this ____ day of ____, A.D. ____, by the following vote (giving names of Councilmen voting for and against and of absentees). Attest: A. B., City Clerk;" and all ordinances so authenticated shall be recorded by the City Clerk in a book to be kept for that purpose.

SEC. 29. All ordinances and resolutions of the present City of Napa in force at the time this charter takes effect, and not inconsistent therewith, shall continue in force until amended or repealed; and all officers of the city in office when this charter takes effect shall continue to hold and exercise their offices under and in accordance with the terms and provisions of this charter, until the election or appointment and qualification of their successors, provided for herein. All contracts, obligations, or liabilities incurred by or entered into with or by the present City of Napa, before the going into effect of this charter, shall continue in force and remain unaffected by the adoption hereof.

SEC. 30. This charter shall take effect immediately on its approval by the Legislature of the State of California, as provided by law.

Be it known: That the City of Napa, containing a population of more than three thousand five hundred and less than ten thousand inhabitants, on the thirty-first day of December, eighteen hundred and ninety-two, at a special election held under and in accordance with the provisions of section eight of article eleven of the Constitution of the State of California, did elect the undersigned a Board of Fifteen Freeholders, to prepare and propose a charter for said city, and we, the members of said Board, in pursuance of said provision of the Constitution, and within a period of ninety days after

such election, have prepared and do propose the foregoing, signed by us in duplicate, as and for the charter of the said City of Napa.

In witness whereof, we have hereunto set our hands and seals this fourteenth day of January, A. D. eighteen hundred and ninety-three.

Done in duplicate.

| | |
|------------------|-----------------|
| BENJ. SHURTLEFF. | S. E. HOLDEN. |
| D. S. KYSER. | L. L. JAMES. |
| E. D. BEARD. | L. J. NORTON. |
| HENRY BROWN. | DENNIS SPENCER. |
| O. R. GOGILAN. | N. H. WULFF. |
| GEO. E. GOODMAN. | R. CROUCH. |
| A. J. HULL. | JAS. B. NEWMAN. |
| D. J. THOMAS. | |

Now, therefore, be it resolved by the Senate of the State of California, the Assembly concurring (a majority of all members elected to each house voting for and concurring herein), That said charter be and the same is hereby approved for and as the charter of the City of Napa.

Resolution read.

The roll was called, and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Ordered to engrossment.

THIRD READING OF BILLS.

Senate Bill No. 66—An Act making an appropriation for the relief of Marion F. Wells.

The bill having been read the third time on a previous day, the roll was ordered called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Voorheis, Whitehurst, and Williams—28.

NOES—Senator Wilson—1.

Title read and approved.

Senator Maher moved that Senate Bill No. 66 be immediately transmitted to the Assembly.

So ordered.

Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

On motion of Senator Gesford, Senator Shippee was appointed a special committee of one, to amend as follows:

Strike out all of section one after the word "follows," and insert the following:

"Section 2212. The Judge must also issue subpoenas for at least two graduates of medicine to appear and attend such examination; *provided*, that there shall be appointed by the Governor of the State in every city, and city and county of this State having one hundred thousand and more inhabitants, four physicians, graduates of medicine, who shall attend all such examinations ordered by the Judge, and said physicians shall hold office for four years from the date of their appointments."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 388, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

SHIPPEE, Committee.

The roll was called, and the report of the committee and amendment adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Ford, Gesford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—29.

NOES—Messrs. Everett and Williams—2.

Bill read third time, ordered printed and reingrossed as amended, and on file for final passage.

Senate Bill No. 693—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

Read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Everett, Fay, Ford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

Senate Bill No. 407—An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered section twelve, relative to the better protection of fish placed in streams for the purpose of propagation.

Passed on file, but to retain its place.

Senate Bill No. 368—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties having over one hundred thousand inhabitants.

Senator Biggy moved that Senator McAllister be appointed a special committee of one to amend, as follows:

Amend by striking out of section one, lines five and six, the words "at a rate not to exceed one dollar per month upon each and every householder."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 368, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

MCALLISTER, Committee.

The roll was called, and the report of special committee of one and the amendment adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Denison, Dunn, Everett, Fay, Goucher, Harp, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Wilson—25.

NOES—Senator Carpenter—1.

Bill read third time, ordered to print and reëngrossment as amended, and on file for final passage.

Substitute for Senate Bill No. 731—An Act to authorize the appointment of a Commission by the Governor for the purpose of selecting and suggesting a permanent site and location for an additional State's prison.

Read third time.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Fay, Harp, Hoyt, McAllister, Martin, Mitchell, Orr, Ragsdale, Seymour, Simpson, and Williams—19.

NOES—Messrs. Arms, Burke, Dunn, Gesford, Goucher, Maher, and Whitehurst—7.

NOTICE OF RECONSIDERATION.

Senator Burke gave notice that on to-morrow he would move a reconsideration of the vote whereby Substitute for Senate Bill No. 731 was this day refused final passage.

Substitute for Senate Bill No. 338—An Act to amend sections one thousand two hundred and two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Passed on file, on motion of Senator Arms.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 482—An Act regulating the location of manufactories for the making of giant powder, gun powder, blasting powder, or any explosive substance, the storage of explosives, and providing a penalty therefor.

Read third time.

The roll was called, and the bill refused final passage by the following vote:

AYES—Senator Williams—1.

NOES—Messrs. Arms, Berry, Biggy, Burke, Carpenter, Dunn, Fay, Goucher, Harp, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Whitehurst, and Wilson—22.

Senate Bill No. 264—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Passed on file.

MOTION.

Senator Voorheis moved that the Senate take up and consider Assembly messages.

So ordered.

MESSAGES FROM THE ASSEMBLY.

The Secretary read as follows:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 210, as amended by Assembly—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

Also: Adopted Senate Joint Resolution No. 25—Joint resolution memorializing the Attorney-General and the Secretary of the Interior of the United States of America to locate one of the United States prisons, provided for by an Act of Congress, March 3, 1891, within the State of California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

MOTION.

On motion of Senator Voorheis, Assembly Bill No. 796 was taken up, read the first time, referred to Committee on Finance for the purpose of amending, and ordered placed on file.

LEAVE OF ABSENCE.

The Committee on Finance was granted a leave of absence for the remainder of the day.

THIRD READING OF BILL.

Senate Bill No. 646—An Act entitled an Act to forbid the manufacture and sale of cigarettes within the State of California.

Read third time.

POSTPONEMENT.

Pending debate on the bill, the hour of nine o'clock p. m. having arrived, on motion of Senator Seawell, the special orders set for this hour were postponed for consideration until the matter under discussion was disposed of.

PASSAGE OF BILL.

The roll was called on the final passage of Senate Bill No. 646, and the same was finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Gestford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—31.

NOES—Messrs. Broderick, Carpenter, and Williams—3.

Title read.

Senator McGowan moved to amend the title, as follows:

Strike out the word "and," and insert in lieu thereof the word "or."

Amendment adopted.

Title as amended read and approved.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 666—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations, and dividing irrigation districts into classes, for the purposes of this Act.

Senator Ford in the chair.

Bill read third time.

Senator Maher moved that Senator Broderick be appointed a special committee of one to amend, as follows:

By striking out of section three, line thirty, the word "taxpayers," and insert in lieu thereof the words "assessment payers."

So ordered.

Hon. R. B. Carpenter, President pro tem., in the chair.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 666, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

BRODERICK, Committee.

The roll was called, and the report of the special committee of one and amendment were refused adoption by the following vote:

AYES—Messrs. Bailey, Broderick, Everett, Harp, Hart, Maher, Mahoney, Simpson, and Williams—9.

NOES—Messrs. Arms, Berry, Biggy, Burke, Carpenter, Dunn, Earl, Fay, Ford, Gesford, Goucher, Hoyt, McAllister, Martin, Mathews, Mitchell, Ostrom, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, and Wilson—24.

Senator Seawell moved the previous question.

Whereupon, the roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Ford, Gesford, Goucher, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—Messrs. Broderick, Everett, Hart, Mahoney, Simpson, and Williams—6.

Title read and approved.

NOTICE OF RECONSIDERATION.

Senator Maher gave notice that he would on to-morrow move a reconsideration of the vote whereby Assembly Bill No. 666 was this day finally passed.

POSTPONEMENT.

Senator Ford moved that the reconsideration of the vote whereby Senate Bill No. 536—An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month, the wages earned by such employé; to define the duties of the Labor Commissioner, and the District Attorneys of the several counties of this State, in enforcing this Act; to limit the defenses which may be set up by such corporations to assignments of wages, set-off, or counter claims, or the absence of such employé, at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same—was finally passed, already set for this hour, be reset as a special order for to-morrow, immediately after the reading of the Journal.

The roll was called, and the postponement refused by the following vote:

AYES—Messrs. Carpenter, Denison, Ford, and Streeter—4.

NOES—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Hart, McAllister, McGowan, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, and Wilson—20.

Pending debate on the reconsideration of the vote whereby Senate Bill No. 536 was finally passed, Senator Arms moved the previous question.

The question being, "Shall the main question be now put?"

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Arms, Broderick, Burke, Campbell, Carpenter, Dunn, Ford, Goucher, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—23.

NOES—Senator Earl—1.

The roll was then called on the question, "Shall the Senate reconsider the vote whereby the bill was finally passed?"

The following is the result:

AYES—Messrs. Campbell, Carpenter, Ford, Hart, McAllister, Martin, Orr, Ragsdale, Seymour, and Streeter—10.

NOES—Messrs. Arms, Berry, Biggy, Broderick, Denison, Dunn, Earl, Everett, Fay, Gesford, Goucher, Harp, Hoyt, McGowan, Maher, Mitchell, Ostrom, Seawell, Shippee, Simpson, Whitehurst, and Williams—22.

Whereupon, the President pro tem. announced that the Senate refused to reconsider the vote.

AMENDMENT TO THE JOURNAL.

Senator Ford moved that the Journal of Monday, March 6th, be amended by inserting immediately after the record of the vote on Senate Concurrent Resolution No. 11, the following words: "Resolution ordered to engrossment."

So ordered.

MOTION.

Senator Goucher moved that the special order set for this hour, viz., the reconsideration of the vote whereby Assembly Bill No. 298 was refused passage on a previous day, be reset as a special order for to-morrow morning.

The President pro tem. directed that the Senator should send his motion to the desk in writing.

Senator Goucher held that the request was unusual, and he would insist that the President pro tem. put the motion, without it being sent to the desk in writing.

The President pro tem. declined to entertain the motion.

Whereupon, the Senator appealed from the decision of the Chair.

The question then being, "Shall the decision of the Chair stand as the decision of the Senate?"

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Everett, Fay, Hart, Hoyt, McAllister, McGowan, Maher, Orr, Seymour, Simpson, Streeter, Whitehurst, Williams, and Wilson—20.

NOES—Messrs. Dunn, Goucher, Harp, Martin, Mitchell, and Ostrom—6.

CORRECTION OF JOURNAL.

Senator Ford moved that the Journal of the 7th inst. be corrected by striking out from the list of ayes, in the record of the vote whereby Senate Bill No. 536 was passed, the name of Ford, on page 30 of said Journal.

APPOINTMENT OF COMMITTEE.

The President pro tem. appointed the following Senators on the committee authorized by the resolution of Senator Ford, adopted by the Senate this day, relating to certain applications now on file in the Surveyor-General's office for the purchase of school lands, to wit: Senators Ford, Orr, and McAllister.

MOTION.

Senator Goucher moved that the reconsideration of the vote whereby the final passage of Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878—was refused, be reset as a special order for to-morrow at nine o'clock A. M.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Claims, to whom was referred Assembly Bill No. 66—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CAMPBELL, Chairman.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 705—An Act making an appropriation to pay the deficiency in the appropriation for the State's portion of salaries of Judges of the Superior Court, for the forty-fourth fiscal year.

Also: Senate Bill No. 722—An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State, for the forty-third fiscal year.

Also: Substitute for Senate Bill No. 233—An Act to provide for the payment of the advertising of the constitutional amendments, and to make an appropriation therefor.

Also: Senate Bill No. 732—An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners, for the forty-second fiscal year.

Also: Senate Bill No. 507—An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry.

Also: Senate Bill No. 601—An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891.

Also: Senate Bill No. 603—An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year.

Also: Senate Bill No. 602—An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year.

Also: Senate Bill No. 463—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin.

Also: Senate Constitutional Amendment No. 17—Proposing to the people of the State of California an amendment to section seven, article eleven, of the Constitution of the State of California.

Also: Senate Bill No. 160—An Act making an appropriation to pay the claim of "The California Spirit of the Times," for advertising the election proclamation in the forty-second fiscal year.

RAGSDALE, Chairman.

PROTEST.

Senator Biggy presented a protest, relating to Golden Gate Park, in San Francisco, and asked that it be read, and printed in the Journal.

Senator Maher moved, as an amendment, that it be referred to the Committee on City, City and County, and Town Governments.

The roll was called, and the motion to refer carried, by the following vote:

AYES—Messes. Arms, Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Everett, Ford, Harp, Hart, Hoyt, McGowan, Maher, Mitchell, Ragsdale, Simpson, Streeter, and Williams—19.

NOES—Messes. Berry, Biggy, Burke, Dunn, Fay, Gesford, Goucher, Martin, Ostrom, Shippee, and Wilson—11.

RESOLUTION.

Senator Arms offered the following:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills as per vouchers:

| | |
|--|----------|
| A. Walton, laundry..... | \$5 85 |
| C. H. Rave, locksmith..... | 20 25 |
| Union Ice Company, ice, February 1st to February 28th..... | 32 50 |
| Union Ice Company, ice, March 1st to March 14th..... | 21 00 |
| C. T. Seavey, labor for Sergeant-at-Arms..... | 4 00 |
| Frank H. Wing, rubber stamp..... | 2 00 |
| A. Walton, laundry to March 9th..... | 5 40 |
| William Wick, labor..... | 10 00 |
| Total..... | \$101 00 |

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

QUESTION OF PRIVILEGE.

Senator Hart arose to a question of privilege, and claimed as untrue a statement in a Sacramento evening paper to the effect that he was escorted out of the Assembly Chamber by a "supe" of that body under a resolution this day adopted.

ADJOURNMENT.

At ten o'clock and fifty-five minutes P. M. the Senate adjourned, to meet at eight o'clock and thirty minutes A. M. to-morrow.

IN SENATE.

SENATE CHAMBER,
Saturday, March 11, 1893. }

The Senate met pursuant to adjournment, at eight o'clock and thirty minutes A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

CORRECTION OF JOURNALS.

Senator Everett moved that the Journal of yesterday be corrected on page ten, by striking out the word assistant, on line five of the resolution appointing W. H. Rice Clerk to Sergeant-at-Arms.

So ordered.

APPROVAL OF JOURNAL.

The Journals of Saturday, March 4th, Monday, March 6th, Tuesday, March 7th, Wednesday, March 8th, Thursday, March 9th, and Friday, March 10th, were approved.

MOTION.

Senator Mahoney moved that the special order set for this hour, consideration of Assembly Bill No. 239, be postponed and made a special order for ten o'clock A. M. to-day.

So ordered.

RECESS.

At eight o'clock and forty-five minutes A. M. the President declared a recess until the arrival of the Senate files.

REASSEMBLED.

At nine o'clock A. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

By unanimous consent of the Senate, Assembly Bill No. 796 (the general appropriation bill) was considered, and all the special orders set for this hour were postponed, pending discussion of this bill.

On motion of Senator Voorheis, Assembly Bill No. 796 was taken up, and ordered read a second time.

SECOND READING OF BILL.

Assembly Bill No. 796—An Act making an appropriation for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by striking out of section one, line twelve, the words "two hundred and ninety-six," and inserting the following: "three hundred and seven."

Adopted.

COMMITTEE AMENDMENT No. 2.

Amend section one, line thirty-one, by inserting the following: "Salary of Librarian for Supreme Court Library, two thousand four hundred dollars."

Adopted.

COMMITTEE AMENDMENT No. 3.

Amend by striking out of section one, line one hundred and fourteen, page four, the word "five," and inserting the following: "four."

Adopted.

COMMITTEE AMENDMENT No. 4.

Amend by striking out of section one, line one hundred and sixteen, page four, the words "four hundred dollars," and inserting the following: "two hundred and fifty-five dollars."

Adopted.

COMMITTEE AMENDMENT No. 5.

Amend section one, line one hundred and forty-nine, page five, by inserting the word "dollars" after the word "thousand."

Adopted.

COMMITTEE AMENDMENT No. 6.

Amend by striking out of section one, page six, lines one hundred and fifty-three, one hundred and fifty-four, one hundred and fifty-five, and one hundred and fifty-six.

Adopted.

COMMITTEE AMENDMENT No. 7.

Amend section one, line one hundred and sixty, page six, by adding the following: "exempt from provisions of section four of this Act."

Adopted.

COMMITTEE AMENDMENT No. 8.

Amend by striking out of section one, line one hundred and seventy-three, page seven, the word "fifty," and inserting the following: "sixty."

Adopted.

COMMITTEE AMENDMENT No. 9.

Amend by striking out of section one, line one hundred and eighty-one, page seven, the words "sixteen hundred and fifty," and inserting the following: "fifteen hundred."

Adopted.

COMMITTEE AMENDMENT No. 10.

Amend by striking out of section one, line one hundred and ninety-two, page seven, the words "eighty-five," and inserting the following: "ninety."

Adopted.

COMMITTEE AMENDMENT No. 11.

Amend by striking out of section one, line two hundred and sixteen, page eight, the word "eight," and inserting the following: "nine."

Adopted.

COMMITTEE AMENDMENT No. 12.

Amend section one, line two hundred and twenty-seven, page nine, by striking out the word "for," and inclosing in brackets the words "illegal voting."

Adopted.

COMMITTEE AMENDMENT No. 13.

Amend section one, line two hundred and forty-five, page nine, by inserting the following after the word "dollars:" "*provided*, that the State Agricultural Society create and maintain a statistical department for the annual collection, compilation, and distribution of statistics relating to the products and resources of the State."

Adopted.

COMMITTEE AMENDMENT No. 14.

Amend by striking out of section one, line two hundred and ninety-one, page eleven, the words "four thousand," and inserting the following: "forty-five hundred."

Adopted.

COMMITTEE AMENDMENT No. 15.

Amend by striking out of section one, line two hundred and ninety-three, page eleven, the word "four," and inserting the following: "five."

Adopted.

COMMITTEE AMENDMENT No. 16.

Amend by striking out of section one, line two hundred and eighty-nine, page eleven, the words "four thousand," and inserting the following: "four thousand five hundred."

Adopted.

Senator Simpson moved to amend, as follows:

By re-referring the bill back to the Committee on Finance, with instructions to scale down the appropriation for agricultural societies "forty thousand dollars."

Senator Goucher offered the following amendment to Senator Simpson's amendment:

By striking out all words from line two hundred and forty-six to line three hundred, inclusive.

The roll was called, and the amendment to the amendment adopted by the following vote:

AYES—Messrs. Arms, Baily, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Goucher, McAllister, Mitchell, Ostrom, Ragsdale, Simpson, and Wilson—18.
NOES—Messrs. Broderick, Flint, Gesford, Harp, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Seawell, Seymour, Shippee, Streeter, Voorheis, and Whitehurst—17.

COMMITTEE AMENDMENT No. 17.

Amend by striking out of section one, blank lines thirty-four, one hundred and ninety-four, one hundred and ninety-five, two hundred and fourteen, and two hundred and fifteen, and by connecting line numbers throughout in consecutive order.

Adopted.

COMMITTEE AMENDMENT No. 18.

Amend section one by inserting the following: after "dollars," line forty-one, page two, "exempt from provisions of section six hundred and seventy-two of Political Code."

Adopted.

COMMITTEE AMENDMENT No. 19.

Amend by adding a new section, to be known as section six, as follows:

SEC. 6. No money appropriated in this Act shall be used to renew or pay for the renewal of any insurance on any public building or property, nor to effect or pay for any new insurance on any public building or property, except the State Printing Office and its contents, and the pavilion of the State Agricultural Society.

Adopted.

POSTPONEMENTS.

At ten o'clock A. M., on motion of Senator Mahoney, the special order set for this hour, consideration of Assembly Bill No. 239, was postponed and reset as a special order for one o'clock and thirty minutes P. M. this day.

By unanimous consent of the Senate, the other special orders set for consideration during the morning session, were all postponed and reset for the same hour—one o'clock and thirty minutes P. M.

CONSIDERATION OF ASSEMBLY BILL No. 796--(RESUMED).

Senator Berry moved to amend, as follows:

By striking out of section one, line two hundred and forty-five, the entire line.

Senator Seawell moved an amendment to the amendment, as follows:

Strike out of section one, line two hundred and forty-five, the word "forty," and insert in lieu thereof the word "twenty."

During debate on Senator Seawell's amendment, the hour for considering bills on the urgency file, as per Senate rules, having arrived (ten o'clock and thirty minutes A. M.), Senator Voorheis moved that the rules be suspended pending the consideration of Assembly Bill No. 796.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Harp, Hoyt, McAllister, Maher, Mitchell, Orr, Simpson, Streeter, and Voorheis—19.

NOES—Messrs. Bailey, McGowan, Seawell, Seymour, Whitehurst, Williams, and Wilson—7.

URGENCY FILE.

Thereupon, the Senate proceeded to consider the bills on the urgency file.

Substitute for Senate Bills Nos. 10, 158, 139, 192, 245, 307, 308, 312, 352, 395, 446, 495, 541, 562, 577, 579, 605, 636, 691, 725, 724, and 764—An Act to establish a uniform system of county and township governments.

Passed on file.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Passed on file.

SECOND READING OF BILLS.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Read second time, and ordered to engrossment and to a third reading.

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Read first time, and placed on file for second reading.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Passed on file.

Senator Voorheis in the chair.

Senate Constitutional Amendment No. 2—Relative to amending the

Constitution of the State of California by repealing sections four and five of article thirteen, and by amending section one of said article.

Senate Constitutional Amendment No. 2 read.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and Senate Constitutional Amendment No. 2 refused adoption by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Campbell, Carpenter, Denison, Everett, Fay, Flint, Ford, Hoyt, McAllister, Martin, Mathews, Orr, Seymour, Shippee, Streeter, and Whitehurst—19.

NOES—Messrs. Berry, Burke, Dunn, Earl, Gesford, Harp, McGowan, Maher, Mahoney, Mitchell, Ostrom, Ragsdale, Seawell, Simpson, Voorheis, Williams, and Wilson—17.

Senate Constitutional Amendment No. 12—Proposed amendment to article twelve of the Constitution, relative to the election of Railroad Commissioners.

Passed on file.

Senate Constitutional Amendment No. 19—To amend section one of article thirteen of the Constitution.

Passed on file.

Senate Bill No. 762—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Passed on file.

Senate Bill No. 670—An Act making an appropriation for support and maintenance of the State Mining Bureau, for the forty-fifth and forty-sixth fiscal years.

Passed on file.

Hon. R. B. Carpenter, President pro tem., in the chair.

Senate Bill No. 726—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Passed on file.

THIRD READING OF BILLS.

Senate Bill No. 670—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Carpenter, Denison, Dunn, Everett, Fay, Flint, Hart, Hoyt, McGowan, Mahoney, Martin, Mathews, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—22.

NOES—None.

Title read and approved.

Senate Bill No. 173—An Act making appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other expenses incidental and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State.

Read third time.

The roll was called, and the bill refused final passage by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Dunn, Harp, McGowan, Mahoney, Ostrom, Ragsdale, Seawell, Shippee, Streeter, Whitehurst, and Wilson—14.

NOES—Messrs. Broderick, Carpenter, Denison, Earl, Fay, Flint, Hoyt, Maher, Orr, Seymour, Simpson, Voorheis, and Williams—13.

Substitute for Assembly Bill No. 599—An Act providing for primary elections in this State.

Passed on file.

Senate Bill No. 265—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Passed on file.

Senate Bill No. 266—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Passed on file.

Senate Bill No. 596—An Act to amend the Code of Civil Procedure, by adding thereto three new sections, to be numbered sections one thousand one hundred and twenty-eight, one thousand one hundred and twenty-nine, and one thousand one hundred and thirty, relating to the contesting of elections by a judicial recount of the ballots cast.

Passed on file.

Senate Bill No. 461—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Passed on file.

WITHDRAWAL OF BILL.

Senate Bill No. 637—An Act making an appropriation for the payment of the salary of the Librarian of the Supreme Court, for the remainder of the forty-fourth fiscal year.

Senator Hart, by unanimous consent, withdrew Senate Bill No. 637.

MOTION.

Senator Hart moved that Senate Bill No. 768 be substituted on file for Senate Bill No. 637, and be read the first time.

So ordered.

Senate Bill No. 768—An Act to provide for the furnishing of a residence for the Governor of California, and to appropriate money therefor.

Read first time, and placed on file for second reading.

Senate Bill No. 203—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Passed on file.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read third time, and on motion of Senator Gesford, the vote on the final passage of the bill was deferred, the bill to retain its place on file.

Senate Bill No. 532—An Act entitled an Act to appropriate money to pay the claim of John M. Creed, for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Simpson, Streeter, Whitehurst, and Wilson—23.

NOES—Senator Gesford—1.

Title read and approved.

MOTION.

Senator Earl moved that Senate Bill No. 532 be immediately transmitted to the Assembly.

So ordered.

Senate Bill No. 723—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest, for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Streeter, Whitehurst, and Wilson—25.

NOES—None.

Title read and approved.

Senate Bill No. 65—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Passed on file temporarily.

RESOLUTIONS.

By Senator Everett:

Resolved, That the Sergeant-at-Arms of the Senate and his clerks be and they are hereby employed, after the final adjournment of the Senate, for the purpose of completing the work devolved upon the Sergeant-at-Arms, turning over to the Secretary of State the books, papers, and personal property in his charge, closing up the accounts and com-

pleting the labors of his office, and that they be allowed ten days' extra pay therefor, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer is hereby ordered to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.
Also:

Resolved, That all officers and attachés of the Senate are hereby required to deliver to the Sergeant-at-Arms, all books, documents, stationery, keys, and all other property belonging to the State, in their possession, before the final adjournment.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORTS OF STANDING COMMITTEES.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following:

Senator Gesford moved that the report be re-referred to the Committee on Attachés, Contingent Expenses, and Mileage, the committee to report to the Senate the names of all persons subpoenaed, where subpoenaed, who appeared before the committee, and what sum of fees and mileage each is entitled to.

Have had the same under consideration, and respectfully report the same back with the accompanying statement:

After a careful inquiry into the matter, we find that all persons named in account furnished were ordered subpoenaed and appeared before the committee. They were notified to appear as witnesses, and are entitled to the mileage, etc., placed opposite their names in report furnished, according to the custom which has hitherto prevailed in similar cases. The Sergeant-at-Arms appeared before the committee and stated that all the witnesses subpoenaed were ordered to be so subpoenaed by the Chairman of the committee, Senator Earl, and that he had subpoenaed them from their respective residences.

Also: Respectfully report and recommend the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of Thomas Rodgers, Sergeant-at-Arms of the Senate, for the amount of two thousand one hundred and seventy dollars and twenty cents (\$2,170 20) for expenses incurred in the case of Constitutional Amendment No. 8, and that said warrant be drawn upon the appropriation for the contingent expenses of the Senate.

STREETER, Chairman.

The roll was called on the adoption of the resolution and report of committee, and the same adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Carpenter, Denison, Dunn, Earl, Everett, Flint, Hart, Hoyt, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Streeter, Voorheis, Whitehurst, and Williams—22.

NOES—Messrs. Ford and Gesford—2.

Also:

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That Hiram Clock be appointed Porter of room fifty-nine, and at a per diem of four dollars per day, the same to take effect from January 10, 1893, payable out of the Contingent Fund of the Senate, and the State Controller is hereby authorized to draw his warrant for same, and the State Treasurer is hereby ordered to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Broderick, Campbell, Denison, Earl, Everett, Fay, Flint, Hart, Hoyt, Maher, Mahoney, Martin, Orr, Ostrom, Seawell Seymour, Shippee, Streeter, Whitehurst, and Wilson—21.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution.

Resolved, That E. W. Shaeffer be and he is hereby allowed the sum of twenty-five dollars, for expressage in removing mail matter from the General Post Office to and from the Capitol, for the thirtieth session of the Legislature; and the Controller is hereby authorized and directed to draw his warrant upon the Treasury in favor of said E. W. Shaeffer, and the Treasurer is directed to pay the same, the above amount to be paid out of the fund for the contingent expenses of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Orr, Ostrom, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Substitute for Assembly Bill No. 449—An Act to provide for the payment of the principal and interest due on certain Controller's warrants drawn on the War Loan Fund of the State Treasury, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

MOTIONS.

Senator Maher, in accordance with notice given yesterday, moved a reconsideration of the vote whereby Assembly Bill No. 512 was passed on March 10, 1893.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Messrs. Broderick, Everett, Hart, Maher, Mahoney, Orr, Ragsdale, and Simpson—8.

NOES—Messrs. Biggy, Denison, Dunn, Earl, Fay, Flint, Gesford, Hoyt, Martin, Mathews, Ostrom, Seawell, Seymour, Streeter, Voorheis, and Wilson—16.

Senator Seawell moved that Assembly Bill No. 512 be immediately transmitted to the Assembly.

So ordered.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly reengrossed and engrossed:

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 326—An Act appropriating the sum of ten thousand dollars to defray the costs and expenses, and for the employment of counsel therein, of suits and legal proceedings to be commenced and prosecuted in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek and its bays and estuaries, and the Alameda waterfront.

Also: Senate Concurrent Resolution No. 12—A resolution approving the charter of the city of Napa, in Napa County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on March 9, 1893.

RAGSDALE, Chairman.

MOTIONS.

Senator Gesford moved that Senate Concurrent Resolution No. 12 be immediately transmitted to the Assembly.

So ordered.

Senator Maher, in accordance with notice given yesterday, moved a reconsideration of the vote whereby Assembly Bill No. 666 was passed on March 10, 1893.

Pending debate on the reconsideration of the vote, Senator Maher raised the point of order that the hour of recess, twelve o'clock M., had arrived, and there could be no business before the Senate.

The President pro tem. declared the point of order well taken, and thereupon announced a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragdsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

LEAVE OF ABSENCE.

Senator Biggy was granted leave of absence for the balance of the day.

Senator Carpenter was granted a leave of absence for one hour, on motion of Senator Earl.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 239—An Act to create the county of Kings, to define the boundaries thereof, to fix the county seat thereof, and to provide for its organization and election of officers, and to classify said county.

Read third time, and finally passed by the following vote:

AYES—MESSRS. Arms, Bailey, Broderick, Campbell, Denison, Dunn, Everett, Ford, Goucher, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Ragdsdale, Seawell, Seymour, Simpson, Streeter, Williams, and Wilson—24.

NOES—MESSRS. Berry, Carpenter, Earl, Fay, Flint, Gesford, Langford, McAllister, Mathews, Orr, Ostrom, Shippee, Voorheis, and Whitehurst—14.

Title read and approved.

MOTION.

Senator Mahoney moved that Assembly Bill No. 239 be immediately transmitted to the Assembly.

So ordered.

Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

The bill having been previously read a third time, the question was on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Campbell, Denison, Earl, Everett, Flint, Ford, Goucher, Hoyt, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.
NOES—Messrs. Burke and Fay—2.

Title read and approved.

MOTION.

Senator Orr moved that Senate Bill No. 759 be immediately transmitted to the Assembly.

So ordered.

RESOLUTION.

By Senator Everett:

Resolved, That Assembly Bills Nos. 757, 758, and 759 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and Assembly Bills Nos. 757, 758, and 759 were declared cases of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—38.
NOES—None.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILLS.

Assembly Bill No. 757—An Act to amend section four hundred and twelve of the Code of Civil Procedure, relating to service of summons on persons residing out of the State, and in other cases.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Burke, Carpenter, Dunn, Earl, Everett, Fay, Harp, Hoyt, Langford, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.
NOES—None.

Title read and approved.

Assembly Bill No. 758—An Act to amend section seven hundred and thirty-eight of the Code of Civil Procedure, relating to actions affecting title to real estate.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Everett, Fay, Goucher, Harp, Hart, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—26.
NOES—None.

Title read and approved.

Assembly Bill No. 759—An Act to add a new section to the Code of Civil Procedure, relating to proceedings affecting the title to real estate, to be known as section seven hundred and fifty.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Gesford, Langford, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Simpson, Voorheis, Whitehurst, Williams, and Wilson—24.
NOES—None.

Title read and approved.

RESOLUTION.

By Senator Martin:

Resolved, That the time in which bills may be introduced, as provided by the Constitution, is hereby suspended, and permission is hereby granted him to introduce Senate Bill No. 785.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—28.
NOES—None.

INTRODUCTION OF BILL.

By Senator Martin: Senate Bill No. 785—An Act entitled "An Act to allow any county, or city and county, to compromise and settle any claim for taxes for any year or years for which taxes have not been paid, in whole or in part, for a period of not less than five years after the same ought to have been due and collected."

Senator Martin moved that the bill be not referred to a committee, but be read the first time.

So ordered.

Bill read first time, and ordered on file for second reading.

SPECIAL ASSEMBLY FILE.

The hour of two o'clock P. M. having arrived, the consideration of Assembly Bills by joint rules set for this hour was proceeded with.

Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California, for the forty-fifth and forty-sixth fiscal years.

RECESS.

At two o'clock and fifteen minutes P. M., during debate on the above bill, the President declared a recess for five minutes.

REASSEMBLED.

At two o'clock and twenty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

CONSIDERATION OF ASSEMBLY BILL No. 796—(RESUMED).

The question being on the amendment of Senator Seawell to the amendment offered by Senator Berry, namely:

Amend by striking out of section one, line two hundred and forty-five, the word "forty," and inserting in lieu thereof the word "twenty."

The same was lost.

The question then recurring on the amendment offered by Senator Berry, as follows:

Amend by striking out of section one, line two hundred and forty-five, the entire line.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bailey, Berry, Campbell, Denison, Fay, Flint, Ford, Gesford, Harp, Hoyt, Martin, Mathews, Orr, Seawell, Seymour, and Whitehurst—16.

NOES—Messrs. Arms, Broderick, Burke, Carpenter, Dunn, Everett, Goucher, Hart, Langford, McAllister, McGowan, Mahoney, Mitchell, Ostrom, Ragsdale, Shippee, Streeter, Voorheis, Williams, and Wilson—20.

Senator Arms moved a reconsideration of the vote whereby the Senate adopted the amendment offered by Senator Goucher this morning, viz.:

Amend by striking out all words from line two hundred and forty-six to line three hundred, inclusive.

POINT OF ORDER.

Senator Goucher raised the point of order that a reconsideration could not be acted upon on the day that the notice was given for such reconsideration.

The President decided that as the amendment of Senator Goucher was not such as finally disposed of the bill, that the reconsideration of the vote could be entertained on the day upon which the amendment was adopted or lost.

Senator Goucher appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the decision of the Senate?"

The roll was called, and the Chair sustained by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—36.

NOES—Messrs. Bailey and Goucher—2.

Senator Goucher moved the previous question.

The question being, "Shall the main question be now put?"

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs. Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—Messrs. Arms, Bailey, Fay, and Mitchell—4.

The roll was then called on the question, "Shall the Senate reconsider the vote whereby the amendment offered by Senator Goucher was adopted?"

The roll was called, and the Senate decided to reconsider by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Denison, Dunn, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—Messrs. Bailey, Burke, Campbell, Carpenter, Everett, Fay, Goucher, Mitchell, and Simpson—9.

The question then recurring on the adoption of the amendment offered by Senator Goucher.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Messrs. Bailey and Carpenter—2.

NOES—Messrs. Berry, Broderick, Burke, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—28.

LEAVE OF ABSENCE.

Senator Goucher, at three o'clock P. M., was granted leave of absence for the remainder of the day.

MOTION.

Senator Voorheis moved that the Senate do now reconsider the votes whereby Committee Amendments Nos. 14, 15, and 16 were this day adopted.

Senator Simpson moved as an amendment that the bill be re-referred to the committee, with instructions to scale down the amounts set apart for agricultural societies proportionately, so that said amounts would be lessened forty thousand dollars.

Senator Orr moved as an amendment to the amendment that the amounts allowed the different agricultural societies be made the same as that of 1891.

Lost.

The question recurring on Senator Simpson's amendment, it was lost.

The question then recurring on the motion of Senator Voorheis to reconsider the vote whereby Committee Amendments Nos. 14, 15, and 16 were adopted.

The roll was called, and the vote reconsidered by the following vote:

AYES—Messrs. Berry, Burke, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—Messrs. Campbell, Ford, Harp, Orr, Seymour, and Streeter—6.

RECONSIDERATION.

The question then recurred on the adoption of the three amendments which were reconsidered, as follows:

COMMITTEE AMENDMENT No. 14.

Amend by striking out of section one, line two hundred and ninety-one, page eleven, the words "four thousand," and inserting in lieu thereof the following: "forty-five hundred.

Lost.

COMMITTEE AMENDMENT No. 15.

Amend by striking out of section one, line two hundred and ninety-three, page eleven, the word "four," and inserting in lieu thereof the following: "five."

Lost.

COMMITTEE AMENDMENT No. 16.

Amend by striking out of section one, line two hundred and eighty-nine, page eleven, the words "four thousand," and inserting in lieu thereof the following: "four thousand five hundred."

Lost.

The following additional amendments were submitted:

COMMITTEE AMENDMENT No. 17.

Amend by striking out of section one, line two hundred and ninety, page eleven, the word "four," and inserting in lieu thereof the following: "five."

Lost.

COMMITTEE AMENDMENT No. 21.

Amend by striking out of section one, line thirty-two, page two, the word "five," and inserting the following: "two."

Adopted.

COMMITTEE AMENDMENT No. 22.

Amend by inserting in line one hundred and seventy-nine, after the words "under the," the words "direction of the."

Adopted.

COMMITTEE AMENDMENT No. 23.

Amend by striking out of section one, lines two hundred and twenty and two hundred and twenty-one, page nine, the words "seventeen thousand six hundred," and inserting the following: "twenty thousand."

Adopted.

RECESS.

At three o'clock and thirty minutes P. M. the President declared a recess for fifteen minutes.

REASSEMBLED.

At three o'clock and fifty minutes P. M. the Senate reassembled.
President pro tem. R. B. Carpenter in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 162—An Act to encourage fiber culture, and to make an appropriation therefor.

Also: Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

RAGSDALE, Chairman.

MOTION.

Senator Voorheis moved that the rules be suspended, for the purpose of finishing the consideration of Assembly Bill No. 796.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Gesford, Harp, Hart, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—Messrs. Flint and Ford—2.

CONSIDERATION OF ASSEMBLY BILL No. 796—(RESUMED).

Senator Burke moved to amend, as follows:

By striking out of section one, line two hundred and sixty-three, page ten, the word "two," and inserting the following: "four."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Burke, Dunn, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mitchell, Orr, Ragsdale, Seawell, Simpson, Streeter, Whitehurst, and Wilson—23.

NOES—Messrs. Carpenter, Denison, Earl, and Voorheis—4.

Senator Orr moved to amend, as follows:

By striking out of section one, page ten, line two hundred and seventy, the word "three," and inserting the following: "four."

Adopted.

Also:

Amend by striking out of section one, page eleven, line two hundred and ninety-two, the words "two thousand," and inserting the following: "three thousand."

Adopted.

Senator Ford moved to amend, as follows:

By striking out of section one, line ninety-one, the word "one," and inserting the following: "two."

Adopted.

Senator Campbell moved to amend, as follows:

By inserting after the word "thousand," on line two hundred and eighty-nine, page eleven, section one, the words "five hundred," making it read "four thousand and five hundred dollars."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Bailey, Campbell, Earl, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Martin, Mathews, Mitchell, Orr, Ragsdale, Simpson, and Williams—17.
NOES—Messrs. Langford, Ostrom, Voorheis, and Whitehurst—4.

Senator Gesford moved to amend, as follows:

By striking out of section one, line one hundred and sixty-six, page seven, the words "three hundred and eighty," and inserting the following: "four hundred."

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Broderick, Burke, Campbell, Dunn, Earl, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, and Shippee—21.

NOES—Messrs. Carpenter, Denison, Langford, Seymour, Voorheis, Whitehurst, and Williams—7.

Bill ordered to print and to a third reading.

LEAVE OF ABSENCE.

Senator Arms was granted leave of absence for the remainder of the day.

WITHDRAWAL OF NOTICE.

Senator Maher asked unanimous consent to withdraw his notice of reconsideration, whereby Assembly Bill No. 666 was passed on March 10, 1893.

Granted.

MOTIONS.

Senator Earl moved that Assembly Bill No. 666 be immediately transmitted to the Assembly.

So ordered.

Senator Maher moved to take up Assembly messages.

So ordered, by unanimous vote of the Senate.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day (refused to reconsider), respectfully refused to pass Senate Bill No. 144—An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor.

Also: Adopted Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Also: Passed Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Also: Passed (refused to reconsider) Assembly Bill No. 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Also: Adopted Senate Concurrent Resolution No. 12—Relative to approving the charter of the city of Napa, Napa County, California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Constitutional Amendment No. 7 ordered to enrollment.

Assembly Bill No. 242 referred to Committee on Finance.

Senate Concurrent Resolution No. 12 ordered to enrollment.

SUBSTITUTION.

Senator Maher was granted unanimous consent to withdraw Senate Bill No. 572, and to substitute therefor Assembly Bill No. 727.

Senate Bill No. 572 withdrawn, and Assembly Bill No. 727 substituted therefor on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 613—An Act to amend an Act entitled "An Act to protect agriculture and to prevent the trespassing of animals upon private property," approved March 22, 1872.

Also: Assembly Bill No. 53—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, by amending the title to said Act, and by amending sections one, four, seven, eight, nine, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty thereof, and by adding four new sections thereto, to be numbered, respectively, Sections 16a, 16b, 16c, and 16d, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California, at Whittier, in the county of Los Angeles, therein.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 613 referred to Committee on Agriculture, Horticulture, Viniculture, and Viticulture.

SUBSTITUTION.

Senator Mathews was granted unanimous consent to withdraw Senate Bill No. 554, and to substitute therefor Assembly Bill No. 53.

Senate Bill No. 554 withdrawn, and Assembly Bill No. 53 substituted therefor on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, passed as amended, and ordered immediately transmitted to the Senate, Senate Committee Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1879 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

MOTION.

Senator Mahoney moved that the consideration of Senate Substitute for Assembly Bill No. 10 be made a special order for Monday, March 13, 1893, at two o'clock P. M.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Also: That the Assembly, on this day, adopted a resolution respectfully requesting that the Senate return to the Assembly Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

SUBSTITUTION.

Senator Ford was granted unanimous consent to withdraw Senate Bill No. 65 (No. 26 on file), and to substitute therefor Assembly Bill No. 67, they being identical bills.

The history of Senate Bill No. 65 is as follows: Bill read first and second times, and reported correctly engrossed.

Senate Bill No. 65 withdrawn, and Assembly Bill No. 67 substituted therefor on file.

On motion of Senator McGowan, the request of the Assembly, that the Senate return to that body Senate Bill No. 210, was granted and the bill ordered returned.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 677—An Act appropriating money for the purchase of land for the Industrial Home of Mechanical Trades for the Adult Blind.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 677 referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county, reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor.

Also: Assembly Bill No. 810—An Act to add a new section to the Civil Code of the State of California, to be numbered section one thousand four hundred and nine, defining water measurement.

Also: Assembly Bill No. 684—An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, said new sections to be known, numbered, and designated as sections two thousand six hundred and ninety-six, two thousand six hundred and ninety-seven, two thousand six hundred and ninety-eight, two thousand six hundred and ninety-nine, two thousand seven hundred, two thousand seven hundred and one, two thousand seven hundred and two, and two thousand seven hundred and three, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 742 ordered on special urgency file, on motion of Senator Mitchell.

Assembly Bill No. 684 referred to Committee on Irrigation and Water Rights.

SUBSTITUTION.

Senator Shippee was granted unanimous consent to withdraw Senate Bill No. 228, and to substitute therefor Assembly Bill No. 810.

Senate Bill No. 228 withdrawn, and Assembly Bill No. 810 substituted therefor on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the tenth day of March, passed, and ordered immediately transmitted to the Senate, Senate Joint Resolution No. 5—Relative to indebtedness of the United States to the State of California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Joint Resolution No. 5 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 747—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senator Mathews moved to place Assembly Bill No. 747 on special Assembly file.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh day of March, concurred in the Senate amendments to Assembly Bill No. 264—An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 762—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

MOTIONS.

On motion of Senator McGowan, Assembly Bill No. 762 was placed on the special urgency file.

Senator Seawell moved that the consideration of Senate Bill No. 780 be made a special order for to-day, at seven o'clock and thirty minutes P. M.

So ordered.

RESOLUTION.

By Senator Voorheis:

Resolved. That the provisions of the Constitution relating to the time when bills may be introduced are hereby suspended, and permission is hereby granted to Senator Voorheis to introduce Senate Bill No. 786 making an appropriation to pay the salary of the third Judge of the Superior Court of Fresno County.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Fay, Ford, Gesford, Harp, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

INTRODUCTION OF BILL.

By Senator Voorheis: Senate Bill No. 786—An Act making an appropriation to pay the salary of the third Judge of the Superior Court of Fresno County, for the remainder of the forty-fourth fiscal year.

Senator Voorheis moved that the bill be placed on file and read first time.

So ordered.

FIRST READING OF BILL.

Senate Bill No. 786—An Act making an appropriation to pay the salary of the third Judge of the Superior Court of Fresno County, for the remainder of the forty-fourth fiscal year.

Read first time, and ordered on file for second reading.

RESOLUTION.

By Senator Williams:

Resolved. That the resolution appointing J. J. O'Connor Assistant Sergeant-at-Arms of the Senate, be amended so as to read as follows:

Resolved. That J. J. O'Connor be and he is hereby appointed Assistant Journal Clerk of the Senate, with duties of Second Assistant Sergeant-at-Arms, at the same per diem as the Journal Clerk, to take effect January 2, 1893, the same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrant for the same, and the Treasurer directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, March 10, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Assembly Bill No. 139—An Act to provide for the leasing and disposition of water for generating power for mechanical and other purposes, by irrigation districts organized or to be organized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SEYMOUR, Chairman.

On motion of Senator Seymour, Assembly Bill No. 139 was ordered on special Assembly file.

At four o'clock and forty minutes p. m. Senator Burke moved to take a recess until seven o'clock and thirty minutes p. m.

Lost.

RESOLUTION.

By Senator Mahoney:

Resolved, That Assembly Bills Nos. 762, 191, 810, 727, 850, and 742 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the above bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said Assembly Bills shall be read the first, second, and third times, and placed upon their passage.

The roll was called on the adoption of the resolution, and the same was adopted by the following vote:

AYES—Messrs. Bailey, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—29.

NOES—None.

ASSEMBLY AMENDMENTS CONCURRED IN.

Senator Mathews moved that the Senate concur in the following Assembly amendment to Senate Bill No. 219:

Amend by inserting in line ten, after the word "child" and before the word "under," the words "without good cause therefor being shown."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 219?"

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Messrs. Berry, Burke, Campbell, Carpenter, Earl, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—28.

NOES—None.

Senate Bill No. 219, as amended, ordered to engrossment and enrollment.

Senator Seymour moved that the Senate concur in the following Assembly amendment to Senate Bill No. 479:

Amend by striking out in section one, line one, after the words "sum of," the words "twenty thousand," and inserting in lieu thereof the words "seven thousand five hundred."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 479?"

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Whitehurst, and Wilson—27.

NOES—None.

Senate Bill No. 479, as amended, ordered to engrossment and enrollment.

Senator Maher called up Assembly Bill No. 727.

FIRST, SECOND, AND THIRD READING OF BILL.

Assembly Bill No. 727—An Act to amend sections three, five, six, and ten of an Act entitled "An Act to provide for the maintenance and

support of the public parks heretofore created within the various cities, and cities and counties of the state, and to amend the existing Acts in relation thereto," approved March 14, 1889.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Earl, Everett, Flint, Ford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Orr, Ragsdale, Seawell, Seymour, Simpson, Williams, and Wilson—22.

NOES—Messrs. Burke, Dunn, Fay, Langford, Martin, Mitchell, Ostrom, and Whitehurst—8.

Title read and approved.

LEAVE OF ABSENCE.

At four o'clock and fifty-eight minutes P. M. Senator Everett was granted leave of absence for the balance of the day.

RECESS.

At five o'clock P. M., on motion of Senator Flint, the Senate took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Earl, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

Hon. R. B. Carpenter, President pro tem. of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 333—An Act to amend section three hundred and twenty-one of the Penal Code of California, relating to lotteries and lottery tickets.

RAGSDALE, Chairman.

SPECIAL ORDER—THIRD READING OF BILL.

Senate Bill No. 780—An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury to the uses of the Mendocino State Insane Asylum.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Earl, Fay, Flint, Ford, Harp, Hoyt, Langford, McAllister, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Voorheis, Williams, and Wilson—28.

NOES—None.

Title read and approved.

MOTION.

Senator Seawell moved that Senate Bill No. 780 be immediately transmitted to the Assembly.

So ordered.

GENERAL FILE—THIRD READING OF BILLS.

Senate Bill No. 434—An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands.

Passed on file.

Senate Bill No. 388—An Act to amend sections two thousand two hundred and twelve and two thousand two hundred and eighteen of the Political Code of the State of California, relating to the examination and committal of insane persons.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Campbell, Carpenter, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Williams—29.

NOES—Messrs. Berry and Martin—2.

Title read and approved.

MOTIONS.

Senator Mahoney moved that Senate Bill No. 388 be immediately transmitted to the Assembly.

So ordered.

Senator Orr moved that the rules requiring the consideration of the general file at this hour be suspended, and that the Senate proceed to consider bills on the cases of urgency file.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—Senator Ostrom—1.

MOTION.

Senator Ford moved that the consideration of Assembly Bill No. 67 be made a special order for this day, at nine o'clock and thirty minutes P. M.

The roll was called.

CALL OF THE SENATE.

Before the vote was announced, Senator Orr moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Senator Ford moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

The President pro tem. then announced that Assembly Bill No. 67 was made a special order for nine o'clock and thirty minutes p. m. this day, by the following vote:

AYES—Messrs. Arms, Broderick, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Simpson, Streeter, and Williams—21.

NOES—Messrs. Burke, Gesford, Harp, Orr, and Whitehurst—5.

URGENCY FILE—SECOND AND THIRD READING OF BILL.

Senate Bill No. 680—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Earl, Flint, Ford, Hart, Hoyt, McGowan, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, and Williams—21.

NOES—Messrs. Arms, Burke, Fay, McAllister, Martin, Ostrom, Seawell, Shippee, Whitehurst, and Wilson—9.

Title read and approved.

MOTION.

On motion of Senator Simpson, the Senate decided to finish the bills on cases of urgency file this evening.

FIRST, SECOND, AND THIRD READING OF BILLS.

Assembly Bill No. 810—An Act to add a new section to the Civil Code of the State of California, to be numbered section one thousand four hundred and nine, defining water measurement.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Hart, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Williams—27.

NOES—Senator Harp—1.

Title read and approved.

Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Read first and second times.

Senator Langford moved to amend, as follows:

Add in line one, section one, after the word "works," the following: "for a period of two years only."

The roll was called, and the amendment lost by the following vote:

AYES—MESSRS. ARMS, BAILEY, BERRY, CARPENTER, DUNN, FAY, HARP, LANGFORD, McALLISTER, MAHONEY, MATHEWS, MITCHELL, ORR, ÖSTROM, WHITEHURST, and WILSON—15.

NOES—MESSRS. BRODERICK, BURKE, CAMPBELL, DENISON, FLINT, FORD, GESFORD, HART, MAHER, MARTIN, RAGSDALE, SEAWELL, SEYMOUR, SIMPSON, VOORHEIS, and WILLIAMS—16.

Assembly Bill No. 596 read a third time.

Senator Östrom moved that Assembly Bill No. 596 be referred to Senator Langford, as a special committee of one, with instructions to amend as follows:

Add in line one, after the word "works," in section one, the following: "for a period of four years only."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 596, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

LANGFORD, Committee.

The roll was called upon the adoption of the report of the special committee of one and amendment, and the same were adopted by the following vote:

AYES—MESSRS. ARMS, BERRY, BRODERICK, CARPENTER, DENISON, DUNN, EARL, FAY, FORD, HARP, McALLISTER, MAHER, MAHONEY, MATHEWS, MITCHELL, ORR, ÖSTROM, RAGSDALE, SEYMOUR, SIMPSON, STREETER, VOORHEIS, WHITEHURST, WILLIAMS, and WILSON—25.

NOES—MESSRS. CAMPBELL, GESFORD, and MARTIN—3.

Bill ordered to print as amended, and on file for final passage.

MOTION.

Senator Ford moved that consideration of Assembly Bill No. 67 be continued until proceedings under the special urgency file be disposed of.
So ordered.

SECOND READING OF BILL.

Senate Bill No. 568—An Act providing for the dissolution of certain corporations doing a banking business.

Senator Ragsdale moved to amend, as follows:

By adding the words "the bond or " after the word "fix," in line one, section six.

Adopted.

The following committee amendment was submitted:

Amend by striking out section eight.

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

FIRST, SECOND, AND THIRD READING OF BILL.

Assembly Bill No. 772—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new

section thereto, to be numbered section one thousand six hundred and seventy-seven, relating to unlawful contracts.

Read first, second, and third times, and refused final passage by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Denison, Hart, Langford, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Simpson, Williams, and Wilson—15.

NOES—Messrs. Arms, Berry, Burke, Carpenter, Dunn, Earl, Fay, Flint, Ford, Gesford, McAllister, McGowan, Ragsdale, Seymour, Voorheis, and Whitehurst—16.

LEAVE OF ABSENCE.

At ten o'clock P. M. Senator Ostrom was granted leave of absence for the balance of the evening.

RESOLUTION.

By Senator Arms:

Resolved, That during the remainder of the session of the Senate, Senators be limited to three minutes on all bills, or other matters which may come before the Senate for consideration.

The Chair ruled the resolution out of order, as it was an amendment to the rules.

MOTION.

Senator Hart moved that Assembly Bill No. 67 be taken up and considered.

Lost.

Hon. J. B. Reddick, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed:

Senate Bill No. 483—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 1, 1872, by adding a new section thereto, to be known as section six hundred and ninety and one half, for the purpose of defining and enforcing section six hundred and ninety of said Code.

Also: Senate Bill No. 484—An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of incumbered live stock.

Also: Senate Bill No. 736—An Act to prevent compulsory prostitution of women, and the importation of Chinese or Japanese women for immoral purposes, and to provide penalties therefor.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 229—An Act to compel savings banks to publish a sworn statement of all unclaimed deposits.

Also: Senate Bill No. 742—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners, for the forty-fourth fiscal year.

Also: Senate Bill No. 784—An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate, for the forty-fourth fiscal year.

Also: Senate Bill No. 783—An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of Lieutenant-Governor and Senators, for the forty-fourth fiscal year.

Also: Senate Bill No. 214—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1893.

Also: Senate Bill No. 641—An Act to amend sections two, three, and twenty-four of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885.

Also: Senate Concurrent Resolution No. 10—Relative to adjournment *sine die*.

RAGSDALE, Chairman.

RESOLUTION.

By Senator Seymour:

Resolved, That the provisions of the Constitution be suspended, and Senate Constitutional Amendment No. 23 be allowed to be introduced and read.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—Senator Hart—1.

CONSTITUTIONAL AMENDMENT.

By Senator Seymour: Senate Constitutional Amendment No. 23—

Submitting to the people of the State of California an amendment to the Constitution, amending section one of article twenty of the Constitution of the State of California, relative to changing the seat of government from the city of Sacramento to the city of San José.

The Legislature of the State of California, at its thirtieth session, commencing on the second day of January, A. D. one thousand eight hundred and ninety-three, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes that section one of article twenty (miscellaneous subjects) of the Constitution of the State of California be amended so as to read as follows:

SECTION 1. The city of San José is hereby declared to be the seat of government of this State, and shall so remain until changed by law; but no law changing the seat of government shall be valid or binding unless the same be approved and ratified by a majority of the qualified electors of the State voting therefor at a general State election under such regulations and provisions as the Legislature, by a two-thirds vote of each house, may provide, submitting the question of change to the people; *provided*, that the State shall receive a donation of a site of not less than ten acres and one million dollars before such removal shall be had. The Governor, the Secretary of State, and the Attorney-General are hereby authorized to approve said site, and upon the approval thereof and the payment of one million dollars into the State Treasury, the Legislature shall provide for the erection of the necessary building and the removal of the seat of government.

Senate Constitutional Amendment No. 23 read.

The roll was called, and Senate Constitutional Amendment No. 23 adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Mahoney, Mathews, Mitchell, Orr, Ragsdale, Seymour, Simpson, Streeter, Whitehurst, and Williams—27.

NOES—Messrs. Arms, Carpenter, Langford, Maher, Martin, Shippee, Voorheis, and Wilson—8.

ADJOURNMENT.

At ten o'clock and fifteen minutes P. M. Senator Voorheis moved to adjourn.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Berry, Burke, Campbell, Denison, Earl, Fay, Flint, Gesford, Harp, Hoyt, McAllister, Martin, Mitchell, Orr, Seymour, Simpson, Streeter, Voorheis, and Whitehurst—19.

NOES—Messrs. Broderick, Carpenter, Dunn, Ford, Mahoney, Shippee, and Wilson—7.

Whereupon, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Monday, March 13, 1893. }

The Senate met pursuant to adjournment, at eight o'clock and thirty minutes A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Flint.

CORRECTION OF JOURNAL.

Senator Voorheis asked that the Journal of Saturday, March 11th, be corrected so that it be shown that he voted "no" on the adoption of Senate Constitutional Amendment No. 23, instead of "aye."

So ordered.

Senator Seawell moved that the Journal of Saturday be corrected so that it be shown that Senator Hart voted "no" instead of "aye," on the adoption of Senate Constitutional Amendment No. 23.

Senator Carpenter offered the following as a substitute to the motion: "so that Senator Hart be allowed to make an explanation regarding his vote on Senate Constitutional Amendment No. 23, and that the same be spread upon the Journal."

The roll was called, and the substitute of Senator Carpenter adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Goucher, Harp, Hoyt, Maher, Mathews, Mitchell, Ragsdale, Seymour, Streeter, and Whitehurst—21.

NOES—Messrs. Gesford, Hart, Langford, McGowan, Mahoney, Martin, Ostrom, Shippee, Simpson, Voorheis, Williams, and Wilson—12.

SPECIAL ORDER—THIRD READING OF BILL.

Substitute for Senate Bill No. 162—An Act to encourage fiber culture, and to make an appropriation therefor.

Read third time, and final passage refused by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Everett, Flint, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ragsdale, Simpson, Streeter, Williams, and Wilson—19.

NOES—Messrs. Berry, Biggy, Burke, Dunn, Fay, Gesford, Harp, Mathews, Ostrom, Shippee, Voorheis, and Whitehurst—12.

LEAVE OF ABSENCE.

Senator Denison was granted leave of absence for the forenoon, on motion of Senator Voorheis.

RESOLUTION.

By Senator Streeter:

Resolved, That the Committee on Attachés, Contingent Expenses, and Mileage is hereby instructed to retain in their possession all resolutions hereafter referred to them providing for additional pay for any of the attachés of the Senate.

Adopted.

MOTION.

Senator Voorheis moved that Assembly Bill No. 796 be taken up for consideration, and read the third time.

So ordered.

Hon. R. B. Carpenter, President pro tem., in the chair.

THIRD READING OF BILL.

Assembly Bill No. 796—An Act making appropriations for the support of the government of the State of California for the forty-fifth and forty-sixth fiscal years.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Burke, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McGowan, Mahoney, Martin, Mathews, Ostrom, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—26.
NOES—None.

Title read and approved.

MOTION.

Senator Voorheis moved that Assembly Bill No. 796 be immediately transmitted to the Assembly.

So ordered.

Hon. J. B. Reddick, President of the Senate, in the chair.

URGENCY FILE.

Substitute for Senate Bills Nos. 10, 158, 139, 192, 245, 307, 308, 312, 352, 395, 446, 495, 541, 562, 577, 579, 605, 636, 691, 725, 724, and 764—An Act to establish a uniform system of county and township governments.

Passed on file.

Senate Bill No. 106—An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same.

Passed on file.

Substitute for Senate Bill No. 733—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

SUBSTITUTION.

Senator Carpenter was granted unanimous consent to withdraw Substitute for Senate Bill No. 733, and to substitute therefor Substitute for Assembly Bill No. 506, they being identical bills.

Substitute for Senate Bill No. 733 withdrawn, and Substitute for Assembly Bill No. 506 substituted therefor on file.

RESOLUTION.

By Senator Carpenter:

Resolved, That Substitute for Assembly Bill No. 506 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the second and third times, and placed upon its passage.

The roll was called, and Substitute for Assembly Bill No. 506 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—34.

NOES—None.

CASE OF URGENCY.

Substitute for Assembly Bill No. 506—An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same.

Read second and third times.

Hon. R. B. Carpenter, President pro tem., in the chair.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seymour, Simpson, Voorheis, Whitehurst, and Wilson—30.

NOES—None.

Title read and approved.

ASSEMBLY AMENDMENTS CONCURRED IN.

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Senator Burke moved that the Senate concur in the following Assembly amendment to Senate Bill No. 281:

Strike out of section one, line one, after the word "and," the words "twenty-one," and insert in lieu thereof the word "six."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 281?"

The roll was called, and the Assembly amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—32.
NOES—None.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

Senator Ford moved that the Senate concur in the following Assembly amendments to Senate Bill No. 210:

By striking out of section one, line five, the word "fifteen," and inserting in lieu thereof the word "ten."

Also: By striking out all of section three, and by renumbering section four section three.

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 210?"

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Dunn, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Whitehurst, Williams, and Wilson—29.

NOES—Senator Martin—1.

CASE OF URGENCY.

Senator Maher moved that Assembly Bill No. 191 be taken up, and read second and third times.

So ordered.

Assembly Bill No. 191—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section seven hundred and ninety-one of said Code, relating to the appointment and number of Notaries Public in the several counties of this State.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Everett, Fay, Ford, Gesford, Harp, Langford, McAllister, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Whitehurst, Williams, and Wilson—26.

NOES—None.

Title read and approved.

COMMUNICATION.

The following communication was received, and, on motion of Senator Mathews, the same was ordered printed in the Journal:

A. G. L. No. 9,086. ATTORNEY-GENERAL'S OFFICE, STATE OF CALIFORNIA, }
SACRAMENTO, March 13, 1893.

To the honorable Senate of the State of California:

On the 10th instant your honorable body adopted the following resolution:

"Resolved, That the Attorney-General and Controller of the State of California are hereby requested to immediately furnish to the Senate copies of contracts made for the collection of delinquent taxes belonging to the State, by which the collector is allowed fifteen per cent upon the amount collected, in addition to the costs and penalties prescribed by statute, and that said Attorney-General and Controller also furnish the Senate with the following information:

"1. How many such contracts have been made, when made, and with whom made.

"2. How much money has been paid said persons with whom said contracts were made as percentage, costs, and penalties, including the \$3 per notice for serving notices, and including the percentage and penalties paid by the counties for which said persons are appointed.

"3. By what authority of law said Attorney-General and Controller have assumed to make such contracts."

In reply to the first part of the resolution, we respectfully deny that we have at any time made any contract with any person or persons in any of the counties of this State for the collection of delinquent taxes, or that any person or persons have, by any authority given by us, or to our knowledge, collected fifteen or any per cent in addition to the costs and penalties prescribed by statute; but we have entered into contracts with certain persons in certain counties of the State, for the purpose of discovering from the records of the various counties the amount of property sold to the State for delinquent taxes from the year 1870 to the present time, and to cause to be redeemed, or cause the payment of all moneys necessary to be paid to redeem, all property sold to the State for taxes.

In obedience to your said resolution, we have the honor to transmit herewith a copy of the contracts, showing the terms thereof, entered into for the purpose of causing the redemption of property sold to the State for delinquent taxes in certain counties of the State, as follows:

December 15, 1891, with R. F. House for the county of Los Angeles.
 January 20, 1892, with W. R. Porter for the county of San Bernardino.
 March 1, 1892, with L. A. Wright for the county of San Diego
 July 1, 1892, with Nowlin & Fassett for the City and County of San Francisco.
 July 28, 1892, with W. D. Bresee for the county of Fresno.
 August 1, 1892, with W. M. R. Parker for the county of Monterey.
 October 17, 1892, with J. W. Davis for the county of Tulare.
 December 1, 1892, with E. E. Cottle for the county of Santa Clara.

We also transmit herewith a statement showing in detail the amount of money that has been paid by the State to said persons with whom said contracts were made, up to the date of this communication. This statement shows that there has been paid as follows:

| | |
|------------------------------|------------|
| To R. F. House..... | \$1,047 84 |
| To W. D. Bresee..... | 203 13 |
| To W. R. Porter..... | 53 73 |
| To L. A. Wright..... | 513 35 |
| To W. M. R. Parker..... | 17 73 |
| Making a grand total of..... | \$1,835 78 |

To the others nothing has yet been paid.

The above amounts were allowed by the State Board of Examiners and paid to these persons, respectively, for their services to the State in causing the redemption of property sold to the State for taxes, being a percentage on the State's portion only.

The amount paid by the counties to these agents is unknown to us, and this information, as well as the amount collected for the service of notices, the expense for serving which is provided for by Section 3785 of the Political Code, must be obtained from the Boards of Supervisors and Auditors of the various counties with whom these same gentlemen have entered into contracts.

Under Section 17 of the Political Code the word "person" includes the masculine, feminine, and neuter gender, and it is held by the Supreme Court of the State of California, in the case of People vs. City of Oakland, 92 Cal., op. 614, that "No doubt a municipal corporation is a person in the same sense in which the word is used in this section."

Under the provisions of said Section 3785, no person purchasing property at a tax sale is entitled to receive a deed until notice is given of the amount required to be paid for the redemption of the property. We have interpreted the law to mean, and so has the Superior Court of San Diego County, that it is the duty of the State to cause notices to be served in the same manner as by a private purchaser before the owner is obliged to redeem and before the State can obtain a deed. We have held and still hold that when the State is a purchaser of property at tax sale it is entitled to use all of the ordinary remedies permitted and accorded by law to private purchasers.

Without quoting the law, we desire to call the attention of your honorable body to Section 433 of the Political Code, pertaining to the duties of the Controller, especially the first and sixteenth subdivisions of said section; to Section 470 of the Political Code, pertaining to the powers of the Attorney-General, and to Section 3880 of said Code, applying to both the State Controller and Attorney-General. We contend that the provisions of these sections authorize the execution of the contracts with said persons.

We think it well for you to understand the condition of the tax sales to the State at the time of our taking office. We discovered that a large amount of property in the various counties of the State had been sold to the State for taxes, which, under the provisions of Section 3813 of the Political Code, is practically withdrawn from taxation, increasing the burden of taxation upon all who pay taxes. It was then and still is impossible to make an exact estimate of the number of sales made to the State, and the amount of taxes due upon such sales; but in Los Angeles County alone the sales to the State were something like 14,000 in number, and the amount due between \$300,000 and

\$400,000; in San Diego County the sales were about 21,000 in number, and the amount of taxes about \$225,000, while in the City and County of San Francisco the sales to the State were over 24,000 in number, amounting to several hundred thousand dollars in taxes. We are unable even to estimate the approximate amount in assessed value of lands sold to the State in all the counties, but think it amounts to over \$20,000,000, nearly equal to one half of the assessed value of all the railroads in the State.

These sales to the State had the effect of withdrawing the property from assessment and the payment of taxes. We considered this unjust to those who paid taxes, for it was necessary for them to carry the large amount of property sold to the State, and we determined, in our official capacity, deeming the law sufficient to warrant us in so doing, to enter into the contracts specified, constituting the persons mentioned, not agents and collectors of delinquent taxes, but agents of the State to serve notices to redeem, informing the persons whose lands had been sold to the State for taxes, in many instances years ago, to redeem the property within a reasonable time. The owners of property sold to the State should not find fault with regard to the expense of serving notices, for had their property been purchased by private individuals they would be required to pay double the penalty exacted by the State.

Many of these sales were made more than ten years ago, when the lands were assessed at a nominal sum. Upon being redeemed the redemption is made on the last assessed valuation, when, as a matter of fact, they have in many cases increased in value ten fold, they thus evading the payment of taxes on the enhanced value.

Under the provisions of Section 470 of the Political Code, it is made a part of the duty of the Attorney-General to give opinions to the State officers, when called upon, as to their powers and duties, and we understand the law to be that such opinions have the effect of a judgment of Court until overruled by a higher authority; and it was the opinion of the Attorney-General at the time these contracts were signed, and still is his opinion, that the Controller had power to enter into such contracts, and that the Controller and Attorney-General had authority to sign the contracts, upon the condition that the compensation of the parties should be ratified, confirmed, and allowed by the State Board of Examiners when the bills were presented.

In all sales to the State where redemption has been made the State obtains 25 per cent penalty upon the State's portion of the taxes, and we consider it no more than just that the parties serving the notices should be entitled to a compensation of 15 per cent, or three fifths of the penalty charged, subject to the approval of the State Board of Examiners.

We cannot see why persons whose lands have been sold to the State, and who have not redeemed in years gone by (the sales extending from 1873-4 to 1892), should complain about the expense of the service of notices, for they had ample time to redeem the property before we took office. It seems to have been the custom in districts which suffered by reason of land booms to allow property to be sold to the State for taxes and have it withdrawn, practically, from taxation, and awaiting the return of another boom to advance the value of the property, so that it could be sold to good advantage, the owners in that way escaping their just proportion of taxation.

We also desire to call the attention of your honorable body to the fact that in every case, except in the City and County of San Francisco, the Board of Supervisors of the respective counties mentioned requested the appointment of the persons who have been appointed by us, and the Boards of Supervisors appointed the same persons, and entered into similar contracts for the portion of the taxes due the counties. It may be true that the persons appointed belong to the same political party, and it may be true, and is true, that they were satisfactory to us. It can well be supposed that we would, in our official capacity, deal with persons in whom we had confidence, politically and otherwise.

We contend that the revenue laws now in existence are sufficient to enforce the collection and payment into the State and County Treasuries of the taxes levied against individuals and corporations, and, so far as we are concerned, we propose in the future, as we have in the past, to see that the laws are properly enforced, and that the taxes on every piece of property in this State, on which taxes are levied, shall be paid, and where sale has been made to the State, that the property must be redeemed within a reasonable time or deeds executed to the State.

Had your honorable body paid careful attention to the report of the State Controller for the forty-second and forty-third fiscal years, page thirty-two of said report, under the heading of "Redemption of Property Sold to the State for Delinquent Taxes," an answer would have been found in relation to the subject-matter of your resolution.

The sales of property to the State for taxes cover a period commencing in 1873 and extending down to date. Much of this property was sold under a very low rate of assessment, and all taxes upon such property, since such sales, have been figured upon the assessed value at the time of sale, which the law requires, and such property has not for years paid its just proportion of taxes. The redemption again brings the property upon the assessment roll at the present value, giving a large increased assessed value, and lowering the rate of taxation on other property.

In further reply to the third subdivision of your resolution, we desire to report that we have assumed nothing, but have obeyed the law and have carried out the authority the law has vested in us.

If any hardship has resulted from the enforcement of the redemption of the lands sold to the State for taxes, we submit that the persons who are finding fault with the

condition of affairs could have evaded all hardship and liability had they paid their taxes as they should have done before sale took place. We see no reason why persons and corporations whose lands have been sold to the State for taxes should be shielded by political or other influence from bearing their just proportion of taxation.

To show the good results derived from the appointment of these agents, the following facts and figures are submitted for your consideration:

From April 1879 to January, 1891 (when we assumed office), a period of twelve years, there were filed certificates of redemption aggregating 5,617. From January 1, 1891, to March 11, 1893, there have been filed certificates of redemption aggregating 6,266.

Particular attention is called to the fact that since the appointment of agents on behalf of the State and counties redemptions are rapidly increasing. During the first eight months of the forty-fourth fiscal year redemption certificates aggregating 3,200 in number have been filed.

Respectfully submitted,

E. P. COLGAN,
State Controller.
WM. H. HART,
Attorney-General.

1893. Commissions allowed and paid on redemptions by Controller, Sacramento, California.

| 1892 Term Ending. | Counties. | Amount of Redemption. | | Amount of Commission. | | Total Commission. | Grand Total. |
|-------------------|-----------------|-----------------------|-----------|-----------------------|-----------|-------------------|--------------|
| | | Property. | Poll Tax. | Property. | Poll Tax. | | |
| Mar. 7... | Los Angeles... | \$414 19 | \$72 00 | \$62 13 | \$10 80 | \$72 93 | |
| May 1... | Los Angeles... | 576 64 | 48 00 | 86 49 | 7 20 | 93 69 | |
| Aug. 1... | Los Angeles... | 2,292 26 | 264 00 | 330 32 | 39 60 | 369 92 | |
| Dec. 5... | Los Angeles... | 2,888 61 | 520 00 | 433 30 | 78 00 | 511 30 | |
| | Totals | \$6,081 70 | \$904 00 | \$912 24 | \$135 60 | \$1,047 84 | \$1,047 84 |
| Nov. 20... | Fresno | 1,354 30 | | \$203 13 | | \$203 13 | 203 13 |
| May 2... | San Bernardino | \$125 79 | | \$18 86 | | \$18 86 | |
| Aug. 1... | San Bernardino | 122 62 | \$4 00 | 18 39 | \$0 60 | 18 99 | |
| Dec. 5... | San Bernardino | 105 88 | | 15 88 | | 15 88 | |
| | Totals | \$354 29 | \$4 00 | \$53 13 | \$0 60 | \$53 73 | 53 73 |
| May 1... | San Diego | \$808 88 | \$4 00 | \$134 83 | \$0 60 | \$135 43 | |
| Aug. 1... | San Diego | 1,189 11 | 28 00 | 178 37 | 4 20 | 182 57 | |
| Dec. 5... | San Diego | 1,258 41 | 44 00 | 188 75 | 6 60 | 195 35 | |
| | Totals | \$3,346 40 | \$76 00 | \$501 95 | \$11 40 | \$513 35 | 513 35 |
| Dec. 5... | Monterey | \$111 34 | \$6 90 | \$16 70 | \$1 03 | \$17 73 | 17 73 |
| | | | | | | | \$1,835 78 |

Summary.

| Agent. | County. | Amount of Redemption. | | Amount of Commission. | | Total Commissions. |
|-----------------------|-------------------|-----------------------|-----------|-----------------------|-----------|--------------------|
| | | Property. | Poll Tax. | Property. | Poll Tax. | |
| R. F. House | Los Angeles | \$6,081 70 | \$904 00 | \$912 24 | \$135 60 | \$1,047 84 |
| W. D. Bresee | Fresno | 1,354 39 | | 203 13 | | 203 13 |
| W. R. Porter | San Bernardino | 354 29 | 4 00 | 53 13 | 60 | 53 73 |
| L. A. Wright | San Diego | 3,346 40 | 76 00 | 501 95 | 11 40 | 513 35 |
| W. M. R. Parker | Monterey | 111 34 | 6 90 | 16 70 | 1 03 | 17 73 |
| | Totals | \$11,248 12 | \$990 90 | \$1,687 15 | \$148 63 | \$1,835 78 |

E. P. COLGAN, Controller.

This Article of Agreement,

Made and entered into, in triplicate, this — day of — 189 —, by and between — of the county of —, State of California, as party of the first part, and E. P. Colgan, State Controller, and W. H. Hart, Attorney-General, of Sacramento, California, on behalf of the State of California, as parties of the second part;

Witnesseth: That said parties of the second part, in their official capacity, and so far as authorized by law so to do, hereby employ said party of the second part, on behalf of the State, to collect, and cause to be collected, or cause to be redeemed, or cause the payment of all moneys necessary to be paid to redeem, all property sold to the State for taxes from 1870 down to and including the forty-second fiscal year, and to take all steps that may be necessary to accomplish the redemption of said property, and the payment of said taxes.

Said party of the first part is hereby authorized to serve, or appoint a person to serve, all the necessary notices to redeem that are or may be required by law to be served on the parties, owners of said property so sold as aforesaid, to redeem their said property from such sale; that any costs that may arise in the enforcement of the collection of said taxes, or the serving or giving of said notices, shall be taxed against the redemptioner or payer when so permitted by law, and that when so taxed and paid into the County Treasury said — shall be entitled to receive the fees allowed (when collected from the redemptioner) for each notice served, and also to receive, as his compensation for all additional services rendered, such sums as the State Board of Examiners may allow, not exceeding fifteen per cent on all moneys collected and paid to the County Treasurers for and on account of the State of California on account of such taxes or redemptions made of any property so sold as aforesaid, within the period aforesaid, and within the time herein mentioned; said percentage to be paid upon all sums of money paid in as the State's share on account of such redemption, and to be allowed by the Board of Examiners when paid into the State Treasury.

It is further agreed that the County Treasurer shall pay to said — all moneys received by said Treasurer on account of the service of any notice or expense incurred, when allowed by law, and collected by said Treasurer on the redemption of said property.

It is further agreed that said party of the first part will and shall, between the first and tenth of every month, pay over to the officer entitled to receive the same all moneys, if any, collected by or coming into his possession during the preceding calendar month, which payment shall be made in the manner provided by law for the purpose of securing the redemption aforesaid.

It is further agreed that said party of the first part will, between the first and tenth of each month, make a triplicate statement of all said collections, duly itemized, and deliver one to the Auditor and one to the Treasurer of the county in which the property taxed or sold is situated, and one copy to be forwarded within said time to the State Controller, which statement shall be duly verified.

It is further agreed by the party of the first part, to carry out his part of the contract, that he will make or cause to be made, if necessary, from the records of said county hereinafter mentioned, a list of all property sold to the State, and the taxes which he is entitled to collect, or the amount of money necessary to be paid for redemption under the provisions of this contract, and cause such statement to be itemized in books to be prepared by him, or otherwise, and out of the proceeds to be paid to him he will pay the expense of such work, unless said work shall be prepared by other parties; that he will keep true and correct accounts of all his transactions in the matter of enforcing the collection of said taxes, in serving notices, and in causing the redemption of said property. Said book shall be open for the inspection of the State Controller and the Attorney-General, or either of them, or any person they, or either of them, may designate in writing, for examination.

It is further expressly agreed between the parties hereto that this agreement is not intended to apply and shall not cover any tax or taxes due, or to become due, from any railroad companies, or company, other than street railroads already sold to the State.

It is expressly understood and agreed that the State Controller and Attorney-General shall not be personally liable to said party of the first part for the payment of the compensation herein mentioned, this appointment being made in pursuance of the provisions of Section 3880, Political Code, and such other provisions of law as pertain to the matter.

It is further understood and agreed that this appointment applies to the county of —, and to all lands sold to the State for taxes situated therein.

It is further mutually agreed that it is intended by this contract and agreement to confer all the power and authority upon said party of the first part as an agent of the State, in so far as the said parties of the second part can do so by virtue of their offices in reference to the revenues of the State, and for the purpose of causing the redemption of all the property sold to the State for taxes.

It is further provided that the State shall not be responsible to said — for the percentage or costs upon or on account of any part of the money so paid in which may apply to the county, as that is a county charge, and should be made to and paid by the county.

The said party of the first part further agrees that he will not bring any suits unless upon the request of the State Controller and Attorney-General.

It is further agreed by the said party of the first part, that he will, upon demand of the parties of the second part, from time to time, secure from the Tax Collector of —

County deeds for such pieces of property as the State may be entitled to, and cause the same to be filed for record, and to deliver to the parties of the second part.

It is mutually agreed that this contract shall take effect on the — day of —, 189 —, and to continue in force at the pleasure of said parties of the second part, and said party of the first part agrees to use due diligence and good faith in carrying out this contract on his part.

In witness whereof, the parties hereto have hereunto set their hands and seals, the day and year first above written.

____ [SEAL.]

____ [SEAL.]
State Controller.

____ [SEAL.]
Attorney-General.

URGENCY FILE—(RESUMED).

Senate Bill No. 720—An Act to appropriate moneys to pay costs and expenses in suits wherein the State is a party.

Passed on file.

Senate Bill No. 311—An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor.

Passed on file.

Senate Constitutional Amendment No. 12—Proposed amendment to article twelve of the Constitution, relative to the election of Railroad Commissioners.

Passed on file.

Senate Constitutional Amendment No. 19—To amend section one of article thirteen of the Constitution.

Passed on file.

Senate Bill No. 762—An Act to amend section three thousand seven hundred and thirteen of the Political Code, relating to the levy of taxes.

Passed on file.

Senate Bill No. 370—An Act making an appropriation for support and maintenance of the State Mining Bureau, for the forty-fifth and forty-sixth fiscal years.

Passed on file.

Senate Bill No. 726—An Act appropriating money to pay the expense of transporting, insuring, and installing of a California exhibit in the Woman's Building of the World's Columbian Exposition.

Passed on file.

Substitute for Senate Bill No. 599—An Act providing for primary elections in this State.

Passed on file.

Senate Bill No. 265—An Act to appropriate the sum of thirteen thousand seven hundred and twenty-two dollars and twenty cents to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889.

Passed on file.

Senate Bill No. 266—An Act to appropriate the sum of two thousand five hundred dollars to pay the salary of the Deputy Commissioner of Immigration from August 1, 1883, to October 1, 1885.

Passed on file.

Senate Bill No. 596—An Act to amend the Code of Civil Procedure, by adding thereto three new sections, to be numbered sections one thousand one hundred and twenty-eight, one thousand one hundred and

twenty-nine, and one thousand one hundred and thirty, relating to the contesting of elections by a judicial recount of the ballots cast.

Passed on file.

Senate Bill No. 461—An Act to amend sections one thousand one hundred and eighty-six, one thousand one hundred and eighty-seven, one thousand one hundred and eighty-eight, one thousand one hundred and ninety, one thousand one hundred and ninety-two, one thousand three hundred and fifty-seven, one thousand three hundred and fifty-eight, one thousand three hundred and fifty-nine, one thousand three hundred and sixty, one thousand three hundred and sixty-one, one thousand three hundred and sixty-two, one thousand three hundred and sixty-three, one thousand three hundred and sixty-four, one thousand three hundred and sixty-five of the Political Code, and to add nineteen new sections thereto, to be numbered one thousand three hundred and sixty-six, one thousand three hundred and sixty-seven, one thousand three hundred and sixty-eight, one thousand three hundred and sixty-nine, one thousand three hundred and seventy, one thousand three hundred and seventy-one, one thousand three hundred and seventy-two, one thousand three hundred and seventy-three, one thousand three hundred and seventy-four, one thousand three hundred and seventy-five, one thousand three hundred and seventy-six, one thousand three hundred and seventy-seven, one thousand three hundred and seventy-eight, one thousand three hundred and seventy-nine, one thousand three hundred and eighty, one thousand three hundred and eighty-one, one thousand three hundred and eighty-two, one thousand three hundred and eighty-three, and one thousand three hundred and eighty-four, all in relation to the conduct of elections in this State.

Passed on file.

Senate Bill No. 203—An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Passed on file.

Senate Bill No. 768—An Act to provide for the furnishing of a residence for the Governor of California, and to appropriate money therefor.

Passed on file.

Senate Bill No. 234—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

SUBSTITUTION.

Senator Gesford was granted unanimous consent to withdraw Senate Bill No. 234, and to substitute therefor Assembly Bill No. 242, they being identical bills.

Senate Bill No. 234 withdrawn, and Assembly Bill No. 242 substituted therefor on file.

RESOLUTION.

By Senator Gesford:

Resolved, That Assembly Bills Nos. 242, 729, and 604 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the above bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said Assembly Bills shall be read the first, second, and third times, and placed upon their passage.

The roll was called on the adoption of the resolution, and the same was adopted by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Carpenter, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Ostrom, Seawell, Seymour, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—27.
NOES—None.

CASES OF URGENCY.

Assembly Bill No. 242—An Act appropriating two hundred and fifty thousand dollars for the erection of buildings for the use of affiliated and other departments of the University of California.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Carpenter, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Ostrom, Shippee, Simpson, Streeter, and Wilson—24.
NOES—Messrs. Burke, Langford, Martin, Seawell, Voorheis, and Whitehurst—5.

Title read and approved.

Assembly Bill No. 729—An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Campbell, Dunn, Earl, Everett, Ford, Goucher, Hoyt, Langford, McAllister, Maher, Martin, Mitchell, Ostrom, Seawell, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—23.
NOES—Messrs. Burke and Fay—2.

Title read and approved.

Assembly Bill No. 604—An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Campbell, Carpenter, Everett, Ford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ragsdale, Seawell, Streeter, Voorheis, Whitehurst, and Williams—23.
NOES—Messrs. Burke, Fay, and Ostrom—3.

Title read and approved.

On motion of Senator Voorheis, Assembly messages were taken up and read.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh day of March, passed Senate Bill No. 113—An Act to appropriate money to prevent the introduction of contagious diseases.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 113 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 74—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as section three thousand two hundred and forty-five and one-half, relating to the payment of persons employed under the provisions of section three thousand two hundred and forty-five of said Political Code.

Also: Passed Assembly Bill No. 614—An Act for the relief of J. F. Chapman & Co., for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 614 referred to Committee on Finance.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 347—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds.

Also: Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands, in inalienable trust for the public use and benefit.

Also: Assembly Bill No. 856—An Act to provide for the payment of advertising the funded debt, and making an appropriation therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 347 ordered to enrollment.
Assembly Bill No. 852 referred to Committee on Judiciary.
Assembly Bill No. 856 referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 856—An Act to pay for advertising the funded debt—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands, in inalienable trust for the public use and benefit—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McGOWAN, Chairman.

ON CITY, CITY AND COUNTY, AND TOWN GOVERNMENTS.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on City, City and County, and Town Governments, to whom was referred Assembly Bill No. 713—An Act preventing dispensers of water from overcharging consumers for water and water connections—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BAILEY, Chairman.

RESOLUTION.

By Senator Goucher:

Resolved, That Assembly Bills No. 696 and 856 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

CASES OF URGENCY.

Assembly Bill No. 696—An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Gosford, Goucher, Harp, Hoyt, Langford, McGowan, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

Assembly Bill No. 856—An Act to provide for the payment of advertising the funded debt, and making an appropriation therefor.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Carpenter, Dunn, Earl, Everett, Fay, Flint, Gosford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—27.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Earl:

Resolved, That Assembly Bill No. 852 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Carpenter, Dunn, Earl, Everett, Fay, Flint, Gosford, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 852—An Act confirming to the city of Oakland the possession, right of possession, and control of its waterfront and tide lands in inalienable trust for the public use and benefit.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Dunn, Earl, Everett, Fay, Flint, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Shippee, Simpson, Streeter, Whitehurst, and Wilson—25.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Flint:

Resolved, That Mrs. Abbie Atkinson, Postmistress, be allowed pay for the period of seven days from and after the date of the final adjournment of the thirtieth session of the Legislature, at the same per diem she is now receiving, for services to be rendered

by her in receiving and returning mail after such adjournment; and the Controller is hereby authorized to draw his warrant upon the Treasurer in favor of said Mrs. Abbie Atkinson for said seven days' pay, and the Treasurer is hereby directed to pay the same.

Referred to Committee on Attachés, Contingent Expenses, and Mileage.

CASE OF URGENCY.

On motion of Senator Wilson, the Senate considered the following bill:

Senate Bill No. 333—An Act to amend section three hundred and twenty-one of the Penal Code of California, relating to lotteries and lottery tickets.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Carpenter, Dunn, Everett, Fay, Flint, Gesford, Harp, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Raggsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—30.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly engrossed and reengrossed:

Senate Bill No. 646—An Act entitled an Act to forbid the manufacture or sale of cigarettes within the State of California.

Also: Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Also: Senate Bill No. 514—An Act to amend section three hundred and thirty-six of the Civil Code of the State of California, approved March 30, 1874, relating to publication of assessment notices of incorporated companies.

RAGSDALE, Chairman.

MOTION.

Senator Maher moved that the Senate proceed to consider Senate Bill No. 712.

So ordered.

Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board, from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Carpenter, Everett, Fay, Flint, Gesford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Raggsdale, Seawell, Simpson, Whitehurst, and Williams—24.

NOES—None.

RECESS.

At twelve o'clock M. a recess was declared until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

MOTIONS.

Senator Mahoney moved that the consideration of Senate Substitute for Assembly Bill No. 10 be made a special order for this day at one o'clock and thirty minutes P. M., instead of two o'clock, as already set.

So ordered.

Senator Carpenter moved that the further consideration of Senate Substitute for Assembly Bill No. 10 be made a special order for seven o'clock and thirty minutes P. M. this day, and that the rules be suspended for that purpose.

The above motion was carried unanimously.

Senator Ford moved that Assembly Bill No. 67 be taken up and considered.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Read third time.

Senator Bailey moved that Senator Whitehurst be appointed a special committee of one to amend as follows:

By striking out of section one, lines three, four, five, and six, and inserting the following in lieu thereof: "The O'Connor residence, on South Second Street, in the city of San José."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 67, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

WHITEHURST, Committee.

PROTEST.

Senator Hart presented a protest against the passage of Senate Constitutional Amendment No. 23, asking that he be allowed to have his vote recorded against said amendment, as he had voted that way first, and had changed his vote for the purpose of giving notice of a reconsideration.

Senator Orr moved that the protest be referred to the Committee on Judiciary.

So ordered.

Hon. R. B. Carpenter, President pro tem., in the chair.

SPECIAL ASSEMBLY FILE.

The hour of two o'clock p. m. having arrived, the consideration of Assembly Bills by joint rules set for this hour was proceeded with.

THIRD READING OF BILL.

Assembly Bill No. 349—An Act to amend sections one thousand one hundred and forty-two, one thousand one hundred and eighty-eight, one thousand one hundred and ninety-four, one thousand one hundred and ninety-seven, one thousand two hundred and three, one thousand two hundred and five, one thousand two hundred and eight, one thousand two hundred and fifty-seven, one thousand two hundred and sixty-four, and one thousand two hundred and sixty-five of the Political Code, in relation to elections within this State.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Burke, Campbell, Carpenter, Dunn, Earl, Fay, Flint, Ford, Hoyt, McAllister, Mitchell, Orr, Ragsdale, Seawell, Shippee, Streeter, Voorheis, Whitehurst, and Wilson—22.

NOES—Senator Harp—1.

Title read and approved.

MOTION.

Mr. Voorheis moved that Assembly Bill No. 349, as amended, be immediately transmitted to the Assembly.

So ordered.

ASSEMBLY AMENDMENTS CONCURRED IN.

Senator Maher moved that the Senate concur in the following Assembly amendments to Senate Bill No. 74:

Amend by striking out of section one, line eleven, the words "in State or municipal;" also, all of line twelve; also, in line thirteen, the words "board and lodging must be provided for such employes without cost to them."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 74?"

The roll was called, and the Assembly amendments concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Carpenter, Earl, Everett, Flint, Ford, Gesford, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Whitehurst, and Wilson—27.

NOES—None.

Senate Bill No. 74, as amended, ordered reëngrossed and to enrollment.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 552—An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor.

Also: Amended, and passed as amended, Committee Substitute for Senate Bill No. 383—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section twelve hundred and three, relating to liens of mechanics and others.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 552 ordered to enrollment.

ASSEMBLY AMENDMENT CONCURRED IN.

Senator Mitchell moved that the Senate concur in the following Assembly amendment to Committee Substitute for Senate Bill No. 383:

On lines six and seven of the printed bill strike out the following: "and the County Recorder shall receive fifty cents for such filing."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Committee Substitute for Senate Bill No. 383?"

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Harp, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Ragsdale, Shippee, Simpson, Voorheis, and Whitehurst—25.

NOES—None.

Committee Substitute for Senate Bill No. 383, as amended, ordered to reëngrossment and enrollment.

RESOLUTION.

By Senator Ostrom:

Resolved, That Assembly Bill No. 139 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 139 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Hoyt, McAllister, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—27.

NOES—Messrs. Dunn, Harp, and Mitchell—3.

Hon. J. B. Reddick, President of the Senate, in the chair.

CASE OF URGENCY.

Assembly Bill No. 139—An Act to provide for the leasing and disposition of water for generation of power for mechanical purposes, by irrigation districts organized or to be organized under and pursuant to

an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Earl, Fay, Flint, Gesford, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—23.

NOES—None.

Title read and approved.

THIRD READING OF BILLS.

Assembly Bill No. 27—An Act to amend section five hundred and eighty-five of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to judgment upon failure to answer.

Passed on file.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as section one thousand six hundred and nineteen, relating to the commissions of the executor, or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and in consequence thereof, extended beyond four years.

Passed on file.

Assembly Bill No. 81—An Act to amend sections three thousand seven hundred and sixty-five, three thousand seven hundred and seventy-three, three thousand seven hundred and seventy-eight, three thousand seven hundred and eighty, three thousand seven hundred and eighty-one, three thousand seven hundred and eighty-five, three thousand seven hundred and eighty-eight, three thousand eight hundred and sixteen, and three thousand eight hundred and seventeen, and to repeal sections three thousand seven hundred and seventy-four, three thousand seven hundred and seventy-five, three thousand seven hundred and seventy-six, three thousand seven hundred and seventy-seven, three thousand seven hundred and seventy-nine, three thousand seven hundred and eighty-two, three thousand seven hundred and eighty-three, three thousand seven hundred and eighty-four, and three thousand eight hundred and eighteen of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as section three thousand eight hundred and one, also relating to the sale of real property for delinquent taxes.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Denison, Dunn, Earl, Fay, Flint, Gesford, Hoyt, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—25.

NOES—Messrs. Ford, Seawell, and Seymour—3.

Title read and approved.

Assembly Joint Resolution No. 8—Relative to the payment of the debt which the Pacific railroads owe the Government.

Passed on file.

Assembly Bill No. 85—An Act to amend section six hundred and thirty-one of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as section two hundred and forty-eight, relating to the fees of grand and trial jurors, and section six hundred and twenty, relating to the time and manner of demanding a trial by jury.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Denison, Dunn, Earl, Flint, Gesford, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—24.

NOES—None.

Title read and approved.

Assembly Bill No. 774—An Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending sections fifty-seven, sixty, eighty, ninety-three, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-six, one hundred and twenty-seven, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-four, one hundred and fifty-five, one hundred and sixty-four, one hundred and sixty-five, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and sixty-nine, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, one hundred and seventy-four, one hundred and seventy-five, one hundred and seventy-six, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and ninety, one hundred and ninety-one, one hundred and ninety-two, one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, one hundred and ninety-six, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and eleven, two hundred and twelve, two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen thereof, and by repealing sections one hundred and six and one hundred and ten of said Act, and by renumbering sections one hundred and seven, one hundred and eight, and one hundred and nine of said Act, and designating them as sections one hundred and six, one hundred and seven, and one hundred and eight, respectively, and by adding two new sections to said Act, and numbering them sections one hundred and nine and one hundred and ten.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Campbell, Denison, Earl, Flint, Goucher, Hart, Hoyt, Langford, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—23.

NOES—Messrs. Arms, Fay, Gesford, McAllister, McGowan, Ostrom, Seawell, and Shippee—8.

Title read and approved.

Assembly Bill No. 724—An Act to enable school districts in or including cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes."

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Campbell, Denison, Dunn, Earl, Fay, Flint, Gesford, Goucher, Harp, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—27.

NOES—None.

Title read and approved.

MOTION.

Senator Goucher moved that Assembly Bill No. 724 be immediately transmitted to the Assembly.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 236—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections fifteen and thirty thereof.

Read second time, and ordered on file for third reading.

RESOLUTION.

By Senator Mathews:

Resolved, That Assembly Bill No. 747 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 747 declared a case of urgency by the following vote:

AYES—Messrs. Arms, Bailey, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, Simpson, Streeter, Whitehurst, and Williams—23.

NOES—Senator Biggy—1.

CASE OF URGENCY.

Assembly Bill No. 747—An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Campbell, Denison, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seymour, Streeter, Whitehurst, and Wilson—21.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

At three o'clock and thirty minutes p. m. Senator Burke was granted leave of absence for the remainder of the afternoon.

On motion of Senator Seymour, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendments to Assembly Bill No. 600—An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted and ordered immediately transmitted to the Senate, Senate Constitutional Amendment No. 23—A resolution proposing a constitutional amendment, changing the seat of government from Sacramento to San José.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 655—An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor.

Also: Substitute for Senate Bills Nos. 291, 183, and 123—An Act to provide for laying out, opening, extending, widening, straightening, diverging, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, or cities, and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose.

Also: Senate Bill No. 221—An Act to make an appropriation to pay the claim of Henry Hogan, for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890.

Also: Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 48—An Act to cede jurisdiction to the United States over certain lands.

Also: Senate Bill No. 193—An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors.

Also: Senate Bill No. 613—An Act to amend section seven hundred and seventeen of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands.

Also: Respectfully refused to pass Senate Bill No. 309—An Act to provide for planting a row of trees around the Capitol grounds, and to make an appropriation therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Constitutional Amendment No. 23 ordered to enrollment.

Substitute for Senate Bills Nos. 291, 183, and 123 ordered to enrollment.

Senate Bills Nos. 655, 221, 250, 48, 193, and 613 ordered to enrollment.

RESOLUTION.

By Senator Wilson:

Resolved, That the provisions of the Constitution be suspended, and Senate Constitutional Amendment No. 24 be allowed to be introduced and read.

The roll was called, and permission granted by the following vote:

AYES—Messrs. Biggy, Campbell, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Williams, and Wilson—29.

NOES—Senator Bailey—1.

SENATE CONSTITUTIONAL AMENDMENT.

By Senator Wilson:

SENATE CONSTITUTIONAL AMENDMENT No. 24.

A resolution to propose to the people of the State of California, to add a new section to the Constitution, to be known and numbered section thirty-six (36) of article four (IV) of the Constitution.

Resolved by the Senate, and Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the second day of January, eighteen hundred and ninety-three, two thirds of all its members elected to each house concurring, hereby propose that a new section shall be added to the Constitution, to be known as section thirty-six (36) of article four (IV), to read as follows:

SECTION 36. No person shall be eligible to the office of Senator or Assemblyman, who is, or was within one year prior to his election, an attorney for any railroad corporation, or an agent, servant, employé, or attaché thereof.

MOTION.

Senator Bailey moved to refer to Committee on Labor and Capital.
Lost.

The question then being on the adoption of Senate Constitutional Amendment No. 24.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Dunn, Earl, Fay, Flint, Ford, Hoyt, Langford, McGowan, Mitchell, Ostrom, Seymour, Williams, and Wilson—16.

NOES—Messrs. Bailey, Campbell, Carpenter, Denison, Gesford, Goucher, Harp, Hart, Mathews, Orr, Seawell, and Simpson—12.

CASES OF URGENCY.

The hour of three o'clock and thirty minutes P. M. having arrived, the Senate proceeded to the consideration of urgency file, as per Senate rules.

THIRD READING OF BILL.

Assembly Bill No. 596—An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation.

Read third time.

The roll was called, but before the result was announced, Senator Broderick moved a call of the Senate.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson.

The doors were ordered closed, and the Sergeant-at-Arms instructed to produce Senators Bailey, Hoyt, and Voorheis, the absent members.

Senator Seawell moved that further proceedings under the call of the Senate be dispensed with.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Broderick, Campbell, Carpenter, Denison, Dunn, Earl, Flint, Goucher, Harp, McAllister, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Streeter, Whitehurst, Williams, and Wilson—23.

NOES—Senator Ford—1.

The doors were opened, and the President announced that the Senate refused to finally pass Assembly Bill No. 596 by the following vote:

AYES—Messrs. Bailey, Broderick, Denison, Everett, Flint, Ford, Gesford, Harp, Hart, McAllister, Maher, Martin, Mathews, Ragsdale, Seawell, Seymour, Simpson, Williams, and Wilson—19.

NOES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Carpenter, Dunn, Fay, Goucher, Mahoney, Mitchell, Ostrom, Streeter, and Whitehurst—14.

WITHDRAWAL AND SUBSTITUTION.

Senator Ragsdale was granted unanimous consent to withdraw Senate Bill No. 568 (No. 325 on file), and to substitute therefor Senate Bill No. 148, they being identical bills.

Senate Bill No. 568 withdrawn, and Senate Bill No. 148 substituted therefor on file.

MOTIONS.

On motion of Senator Orr, the consideration of Senate Bill No. 777 was made a special order for nine o'clock p. m. this day.

On motion of Senator Seawell, the consideration of Senate Bill No. 121 was made a special order for nine o'clock p. m. this day.

SECOND READING OF BILL.

Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

The following committee amendments were submitted:

Amend by striking out of section two the words "This Act shall take effect immediately," and inserting in lieu thereof the following: "The State Controller is hereby authorized and directed to draw his warrants for the money herein appropriated in favor of the Board of Directors of the Veterans' Home Association as the same may be required, and the State Treasurer is hereby directed to pay said warrants."

Adopted.

Also:

Amend by adding a new section, as follows:
"Sec. 3. This Act shall take effect immediately."

Adopted.

Bill read second time, ordered to print and engrossment as amended, and on file for third reading.

CASE OF URGENCY.

Senate Bill No. 728—An Act to create the office of State Forester, to provide for the protection of forests from fire, and to provide for the expenses thereof.

Read first and second times, considered engrossed, and read third time. The roll was called, with the following result:

AYES—Messrs. Maher and Orr—2.

NOES—Messrs. Arms, Berry, Burke, Denison, Dunn, Everett, Fay, Langford, McGowan, Mahoney, Martin, Mathews, Mitchell, Ostrom, Seawell, Shippee, Simpson, and Whitehurst—18.

RECESS.

The roll call showing no quorum present and voting, at four o'clock and twenty-five minutes P. M. the President declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

NOTICE OF RECONSIDERATION.

Senator Broderick gave notice that this evening, after nine o'clock, he would move to reconsider the vote whereby Assembly Bill No. 596 was refused passage this day.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly reengrossed: Senate Bill No. 368—An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties having over one hundred thousand inhabitants.

RAGSDALE, Chairman.

Senator Voorheis, from the Committee on Elections, presented the following report, and asked that it be printed in the Journal.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 11, 1893.

MR. PRESIDENT: Your Committee on Elections beg leave to report that the committee have had under consideration and inspection for some time the records and tally sheets used at a trial of a machine invented by H. H. Niebur, of Ferndale, California, the system being denominated the "Niebur System." We are necessarily compelled to judge of the merits of the machine by the results now before us.

The machine is an invention of the gentleman above named, and its practical design is to count votes under our present system of voting. The ticket is introduced into the machine, the face of the ticket, after being duly marked, being placed upon a regular tally sheet. A pressure is then made upon the ticket, and the "marks" on the ticket are transferred to the tally sheet, opposite the names of the persons voted for upon the ticket. The ticket is then run through the machine. The result of the action is that the tally sheet is being made up and the votes counted while the voting is proceeding. After the last vote is run through the machine the result is known. The voter places the ticket in position, and the election officers work the machines to cause the ticket to be run through and the sheets impressed during the process. Contrivances are adopted so that the election officers cannot ascertain where the impression is being made while the ticket is going through the machine, and the secrecy of the ballot is preserved.

The very favorable results, as shown by the sheets herewith submitted, impresses us with the conviction that the system is possessed of merit; that, if used, it would greatly facilitate the counting of the votes, and that it would afford a safe mode to the electors of this State that would preclude by its mechanical precision every effort to count the votes fraudulently. We commend the system to the earnest investigation of every citizen interested in the purity of the ballot, and respectfully submit to the Legislature that the manifest merits of the system commend it most highly for adoption in the future.

VOORHEIS, Chairman.

SPECIAL ORDER.

Consideration of Assembly Amendments to Senate Committee Substitute for Assembly Bill No. 10—An Act in relation to reassessment of property, the equalization of the same, and the collection of taxes thereon, in cases where a former assessment made since 1882 is illegal or invalid, or where the proceedings for the collection of such taxes have been ineffectual by reason of error, irregularity, or invalidity, and such taxes have not been paid.

ASSEMBLY AMENDMENTS CONCURRED IN.

Senator Carpenter moved that the Senate concur in the following Assembly amendments to Senate Committee Substitute for Assembly Bill No. 10:

Amend by substituting for section two, and the committee amendment, the following: Strike out all of section two, and insert the following:

"SEC. 2. All taxes for counties, cities and counties, and other taxing districts, shall be levied by the proper Board or Boards upon the property mentioned in the first section of this Act, at the same rates for each respective year as were levied upon property for each of said years after the year eighteen hundred and seventy-nine."

Also: Amend by striking out all of section three, and inserting the following:

"SEC. 3. All property authorized to be reassessed by this Act shall be reassessed and equalized by the proper officers and Boards at the value to which and to the person or corporation to whom or to which such property ought for each of such years to have been assessed, under such rules of notice and at the times and in the modes as are prescribed for the assessment and equalization of like classes of property; and the assessment and equalization thereof, and the levy and collection of taxes thereunder, shall be made by the proper officers at the time, upon like notice and in the manner now or hereafter provided by law for making assessments and equalizing the same, and for the levy and collection of taxes on like classes of property; and if the taxes so relieved shall become delinquent there shall be added thereto and the amount thereof the same percentage as a penalty for such delinquency as is added to other delinquent taxes on like classes of property, and such delinquent taxes and penalties added thereto shall be collected by the proper officers in the manner now or hereafter provided by law for the collection of delinquent taxes and penalties upon like classes of property; the collectors of such taxes to allow as credits thereon all payments heretofore made on the tax as first levied."

Also: Amend by striking out all of section four and inserting the following:

"SEC. 4. There shall be no limitation or limitations as to the time in which actions for the collections of taxes levied under this Act may be commenced, and all the pro-

visions of law now or hereafter provided in respect to assessments, equalization, levy, and collection of taxes shall, where applicable, apply to reassessments, equalization, and relieves and collections of taxes made under the provisions of this Act."

Also: Amend by striking out all of section five and inserting the following:

"SEC. 5. This Act shall apply to taxes for revenue only, and not to assessments for local improvements or street purposes."

Also: Amend by striking out all of section six, and inserting the following:

"SEC. 6. This Act shall take effect and be in force on and after its passage."

Also: Strike out all of sections seven and eight.

Also: On line eleven of the printed bill, strike out the word "general," before the word "tax;" also, strike out the word "levy" after the word "tax," and in place thereof insert the word "levies."

Also: On line twelve of the printed bill, strike out the word "in," before the word "which," and in place thereof insert the word "for."

Also: On line one, of section two of the printed bill, strike out the words "in the year eighteen hundred and ninety-three."

Also: Amend by striking out all of section one of the bill, and substitute therefor the following:

"SECTION 1. Every assessment of property made after the year one thousand eight hundred and seventy-nine which is invalid, or may hereafter be adjudged to be, by reason of any illegality, invalidity, or irregularity declared or existing in the assessment of such property, or in the mode provided for the assessment thereof, shall be remade, and the property reassessed and equalized for each year for which such assessment is invalid as aforesaid, and for the year for which the assessment of such property was invalid as aforesaid, and such reassessment and equalization shall be made by the same officers and Boards, at the same time or times, as are now prescribed by law for the assessment and equalization of property, of the same classes or kinds as the property which hereby is required to be reassessed. The assessment and equalized assessment of such property shall be entered on the several assessment rolls or books in the same manner that assessments of such property are or were required by law to be entered for the year or years during which such reassessments shall be made. And there is hereby levied for State purposes the same rates of taxation for each of such respective years as were heretofore levied upon such property for each of said years for said State purposes."

Also: By striking out of the title the figures "1882," and insert in lieu thereof "1879."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Committee Substitute for Assembly Bill No. 10?"

The roll was called, and the Assembly amendments concurred in by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—40.

NOES—None.

MOTIONS.

On motion of Senator Seawell, the following special orders set for this hour, were postponed and reset for to-morrow, at eight o'clock and thirty minutes A. M.:

Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor.

Senate Bill No. 777—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also the qualifications, duties, and compensation of the

Medical Superintendent of said asylum; and also the appointment, duties, and compensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Senator Ostrom moved to take up and consider Assembly messages. So ordered.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Committee Substitute for Assembly Bill No. 74—An Act entitled "An Act to establish a uniform system of county and township governments."

Also: Senate Bill No. 109—An Act providing for the punishment of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 202—An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 772—An Act to pay the claim of Robert B. Young, and to make an appropriation for the same.

Also: Senate Bill No. 470—An Act to amend section three hundred and fifty-nine of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Also: Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Also: Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Respectfully refused to pass Senate Bill No. 155—An Act to add a new section to the Penal Code, to be known and numbered section six hundred and fifty-five, relating to dealing in options.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number; providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Also: Amended, and passed as amended, Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885, and the Act amendatory thereof, approved March 7, 1887.

Also: Passed Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

Also: Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employees by the Board of Health of the City and County of San Francisco.

Also: Senate Bill No. 201—An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Substitute for Assembly Bill No. 74 referred to Committee on County Government and Township Organization.

Senate Bills Nos. 109, 202, 772, 470, 729, 204, 8, 607, 182, and 201 ordered to enrollment.

ASSEMBLY AMENDMENTS CONCURRED IN.

Senator Voorheis moved that the Senate concur in the following Assembly amendments to Senate Bill No. 199:

Amend the title as follows: "and to make an appropriation for the maintenance and preservation of the property of said Board of Forestry."

Amend section two so as to read:

"SEC. 2. All the real and personal property of the said Board, on or before the first day of July, eighteen hundred and ninety-three, shall be assigned, made over, and transferred to the Agricultural Department of the University of California."

Amend by adding a new section, to be known as section three, to read as follows:

"SEC. 3. There is hereby appropriated the sum of four thousand dollars out of any money in the State Treasury not otherwise appropriated, payable to the Agricultural Department of the University of California, for the support, maintenance, and preservation of the experimental stations of the State Board of Forestry, and the Controller is hereby directed to draw his warrant for the same."

Amend by adding a new section, to be known as section four, as follows:

"SEC. 4. This Act shall take effect from and after July first, eighteen hundred and ninety-three."

The question being, "Shall the Senate concur in the foregoing Assembly amendments to Senate Bill No. 199?"

The roll was called, and the amendments concurred in by the following vote:

AYES—MESSRS. Bailey, Berry, Broderick, Burke, Campbell, Earl, Everett, Fay, Flinn, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Streeter, Voorheis, Whitehurst, and Williams—26.

NOES—None.

MOTION.

Senator Streeter moved that the Senate take up messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 4, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 778 and 93.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 7, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 775 and 776.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 8, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 134.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 9, 1893.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 2, 274, 282, 322, 352, 418, 428, 438, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 10, 1893.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved senate Bill No. 393.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 11, 1893.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bills Nos. 46, 47, 115, 445, 427, 492, 658, 239, 242, 241, 493, 732, 199, 602, 603, 604, 231, 705, 722, 349, 198, 641, 784, 783, and Committee Substitute for Senate Bill No. 131.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1893.

To the Senate of the State of California:

I hereby nominate J. H. Davidson, of the city and county of Los Angeles, to the office of member of the State Board of Health, to succeed W. C. Cochran, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1893.

To the Senate of the State of California:

I hereby nominate Charles W. Pauly, of the city and county of San Diego, to the office of Harbor Commissioner for the Bay of San Diego, to succeed W. W. Stewart and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1893.

To the Senate of the State of California:

I hereby nominate D. C. Reed, of the city and county of San Diego, to the office of Harbor Commissioner for the Bay of San Diego, to succeed Clark Alberti, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1893.

To the Senate of the State of California:

I hereby nominate Winslow Anderson, of the city and county of San Francisco, to the office of Member of the State Board of Health, to succeed W. R. Cluness, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

MOTION.

On motion of Senator Voorheis, the consideration of the Governor's messages was made a special order for eleven o'clock and thirty minutes A. M. to-morrow.

REPORT OF STANDING COMMITTEE.

ON COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on County Government and Township Organization, to whom was referred Committee Substitute for Assembly Bill No. 74—An Act to establish a uniform system of county and township governments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

EARL, Chairman.

CASE OF URGENCY.

Substitute for Assembly Bill No. 449—An Act to pay the claim of J. N. Cardoza, also the claim of Farmer & Hoxie, and also the claim of D. M. Davison, their heirs or assigns, for military services in defending the eastern frontier against the attacks of the Indians.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Broderick, Campbell, Earl, Fay, Ford, Goucher, Hart, McAllister, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, and Williams—21.

NOES—None.

Title read and approved.

MOTIONS.

Senator Campbell moved that Substitute for Assembly Bill No. 449 be immediately transmitted to the Assembly.

So ordered.

Senator Broderick moved to reconsider the vote whereby the Senate refused passage to Assembly Bill No. 596 this day.

The President ruled the motion out of order, under Rule 29.

REPORT OF SPECIAL COMMITTEE.

Senator Ford, from the special committee, presented the following report, and asked that it be printed in the Journal.

So ordered.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your special committee of three, which, by resolutions adopted by the Senate on the 10th instant, was directed to make a complete list of all applications now in the possession of the Surveyor-General of the State of California, relative to the purchase of State school lands selected in lieu of sixteenth and thirty-sixth sections included in the lands recently set apart by government reservation, showing in detail the date of presentation, the name and address of the applicant, a description of the tract or tracts sought to be purchased, etc., for the convenience of intending purchasers, beg leave to report as follows:

We visited the office of the Surveyor-General, and were by him shown a large number of applications, or bases for applications, left with him by intending purchasers. The large number of these applications, or bases for applications, make it impossible for your committee to compile the data required by the above resolution, within the short time remaining of the present session of the Legislature, and we most respectfully ask to be relieved of such duty and be discharged.

We would further add that we were informed by the Surveyor-General that the applications, or bases for applications, above mentioned, were left with him unofficially, and have not as yet been officially recognized or filed by him, and will not be until he is in receipt of copies of the President's proclamation, defining the boundaries of the reservations.

Respectfully submitted.

FORD,
ORR,
McALLISTER,
Committee.

On motion of Senator Ford, the report was adopted and the committee discharged.

MOTION.

Senator Mahoney moved to take up and consider Assembly Bill No. 762.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Arms, Bailey, Burke, Everett, Fay, Flint, Ford, Hart, Hoyt, Langford, McGowan, Maher, Mahoney, Mathews, Ostrom, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—22.

NOES—Messrs. Berry, Biggy, Denison, Harp, and McAllister—5.

CASE OF URGENCY.

Assembly Bill No. 762—An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Earl, Everett, Flint, Ford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Ostrom, Seymour, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—24.

NOES—None.

Title read and approved.

SENATE JOINT RESOLUTION.

By Senator Hart: Senate Joint Resolution No. 27—

Be it resolved by the Senate, the Assembly concurring. That whereas, Congressman Caminetti is desirous of becoming a member of the Committee on Rivers and Harbors in the United States Congress, we hereby urge upon the Speaker of the House that said appointment be to him made, as it will be a proper recognition of the people of the Pacific Coast; be it further

Resolved. That these resolutions be telegraphed to the Speaker of the House of Representatives at Washington, D. C., expense payable out of Contingent Fund of Senate.

The roll was called, and Senate Joint Resolution No. 27 adopted by the following vote:

AYES—Messrs. Bailey, Berry, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Mathews, Ostrom, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Wilson—24.

NOES—None.

On motion of Senator Voorheis, the following Assembly message was taken up:

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Assembly Bill No. 854—An Act making an appropriation for the deficiency for the pay of the officers and clerks of the Assembly, thirtieth session of the Legislature.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 854 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 854 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Denison, Earl, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 854—An Act making an appropriation to pay the deficiency in the appropriation for the pay of officers and clerks of the Assembly.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Denison, Dunn, Earl, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Orr, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

Title read and approved.

MOTIONS.

Senator Voorheis moved that Assembly Bill No. 854 be immediately transmitted to the Assembly.

So ordered.

Senator Voorheis moved to take up and consider Committee Substitute for Assembly Bill No. 74.

So ordered.

RESOLUTION.

By Senator Voorheis:

Resolved, That Substitute for Assembly Bill No. 74 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and Substitute for Assembly Bill No. 74 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Burke, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—30.

NOES—None.

SECOND READING OF BILL.

Committee Substitute for Assembly Bill No. 74—An Act to establish a uniform system of county and township governments.

Read second time.

AMENDMENTS.

The following amendments were submitted:
Senator Orr moved to amend, as follows:

By striking out of section one hundred and ninety-four, line one hundred and fifty-one, after the word "service," the word "the," and inserting the following: "such."

Adopted.
Also:

Amend section one hundred and ninety-four, line one hundred and sixty-three, page one hundred and fifty-four, by inserting the following:
"15. The provisions of this section shall take effect immediately, except where it affects the salaries or fees of the present incumbents."

Adopted.
Also:

Amend section one hundred and eighty-three, line one hundred and sixty-four, page one hundred and twenty-three, by adding after the word "Acts" as follows:
"17. This section shall take effect immediately, except such provisions as affect the salaries of the present incumbents,"

Adopted.
Also:

Amend by striking out of section one hundred and eighty-three, line one hundred and sixty-four, the word "ten," and inserting the following: "twenty."

Adopted.
Senator Goucher moved to amend, as follows:

By striking out of section one hundred and seventy, line four, the words "two thousand five hundred," and inserting in lieu thereof the following: "three thousand."

Adopted.
Also:

Amend by striking out of section one hundred and seventy, line five, the word "six," and inserting in lieu thereof the following: "seven."

Adopted.
Also:

Amend by striking out of section one hundred and seventy, line six, the words "two thousand five hundred," and inserting in lieu thereof the following: "three thousand."

Adopted.
Also:

Amend by striking out of line fourteen, page seventy-four of printed bill, after the word "Act," the words "and the compensation of all assistants, deputies and," also, all the words in lines one hundred and fifteen and one hundred and sixteen, and substituting therefor the following: "*provided*, that nothing in this section shall affect in any manner the length of terms or the salaries fixed for present incumbents holding any of the said offices, nor shall this section affect in any manner the number of deputies nor the compensation thereof as allowed by law on the first day of January, 1893."

Adopted.
Senator Flint moved to amend, as follows:

By striking out of section one hundred and seventy-seven, line eleven, the word "three thousand," and inserting the following: "one thousand five hundred."

Adopted.

Also:

Amend by striking out of section one hundred and seventy-seven, line twelve, the word "five," and inserting the following: "three."

Adopted.

Also:

Amend by striking out of section one hundred and seventy-seven, line thirteen, the word "three," and inserting the following: "one thousand eight hundred."

Adopted.

Also:

Amend by striking out of section one hundred and ninety-seven, line thirty-two, the words and figures "(\$3,500) thirty-five hundred," and inserting the following: "(\$2,000) two thousand."

Adopted.

Senator Ragsdale moved to amend, as follows:

By adding a new subdivision to section twenty-five, to be known as section forty-two and one half, to read as follows: "to levy a special road fund tax, not to exceed two (2) mills on the one dollar of assessed valuation, on all the property in such counties. Such tax shall be in addition to all taxes otherwise provided for, and the fund so created shall be expended for the construction and maintenance of the main public roads in the several road districts, in proportion to the amount collected from such districts."

Adopted.

Also:

Amend section one hundred and thirty-two, line eight, by inserting the following after the word "acknowledged:" "all fees received under this section shall be paid into the County Treasury."

Adopted.

Senator Streeter moved to amend by adding the following to division seventeen of section one hundred and sixty-eight, on page sixty-two (County Government Bill) of Committee Substitute for Assembly Bill No. 74:

The Boards of Supervisors of counties of the sixth class are hereby empowered, immediately after the passage of this Act, to appoint as Emergency Clerks as many persons as in their judgment may be necessary to complete the unfinished and accumulated work in the offices and on the books and records of the various offices of counties of the sixth class, when such emergency exists and such necessary clerical labor is absolutely necessary in the interests of public welfare; and the persons so appointed as Emergency Clerks shall not be paid to exceed one hundred dollars per month each for said services; and the said Emergency Clerks are not to be appointed except where the accumulated and unfinished work in the said various offices demands same, and when the said work cannot be completed without the services of such Emergency Clerks; and it shall be the duty of the Boards of Supervisors of counties of the sixth class to keep a list of the persons so appointed as Emergency Clerks, and on the first Monday of each and every month furnish to the County Auditor a list of the persons so employed and the amounts due to such Emergency Clerks; and it shall be the duty of the County Auditor, upon the first Monday of each and every month, to draw his warrant upon the County Treasurer, in favor of the persons appointed as Emergency Clerks whose names are contained in the list furnished to him by the Board of Supervisors, as herein provided, and it shall be the duty of the Treasurer of said county to pay the same, in the same manner as the salaries of the other officers of said county are paid.

Adopted.

Also:

Amend by adding to division sixteen of section one hundred and seventy-one, on page seventy-six (County Government Bill) of Committee Substitute for Assembly Bill No. 74, at end of line fifty-eight:

"The Boards of Supervisors of the counties of the ninth class are hereby empowered,

immediately after the passage of this Act, to appoint as Emergency Clerks as many persons as in their judgment may be necessary to complete the unfinished and accumulated work in the offices, and on the books and records of the various offices of ninth class counties, when such emergency exists, and such necessary clerical labor is absolutely necessary in the interest of public welfare; and the persons so appointed as Emergency Clerks shall not be paid to exceed one hundred dollars per month each for said services; and the said Emergency Clerks are not to be appointed, except where the accumulated and unfinished work in the said various offices demands same, and when the said work cannot be completed without the services of such Emergency Clerks; and it shall be the duty of the Board of Supervisors to keep a list of the persons so appointed as Emergency Clerks, and on the first Monday of each and every month furnish to the County Auditor a list of the persons so employed and the amounts due to such Emergency Clerks; and it shall be the duty of the County Auditor, upon the first Monday of each and every month, to draw his warrant upon the County Treasurer in favor of the persons appointed as Emergency Clerks whose names are contained in the list furnished to him by the Board of Supervisors, as herein provided, and it shall be the duty of the Treasurer of said county to pay the same, in the same manner as the salaries of the other officers of said county are paid."

Adopted.

Senator Streeter moved to amend section one hundred and eighty-six of Committee Substitute for Assembly Bill No. 74, page one hundred and twenty-six, as follows:

In line twenty-one, after the word "testimony," insert "and each certificate under seal."

Also: In line twenty-three, after the word "acknowledgments," insert the words "first name."

Also: In line twenty-three, after the words "fifty cents," insert the words "for each additional name, twenty-five cents."

Also: Between lines twenty-seven and twenty-eight, insert the words "for receiving and filing every remittitur and accompanying papers from Supreme Court, fifty cents."

Also: Between lines thirty-seven and thirty-eight, insert a new line as follows: "for recording medical and dental certificates, one dollar."

Also: In line forty-one, after the word "bond," insert "except official bonds."

Also: After line forty-two insert "for certificates to dismiss appeal, when prepared by the clerk, two dollars and fifty cents; and when provided or furnished by attorney or party, fifty cents; for comparing copies of papers or transcripts to be certified, five cents per folio only, where instruments equal or exceed ten folios."

Adopted.

Senator McAllister moved to amend, as follows:

By striking out of section one hundred and eighty-seven, after line nineteen, page one hundred and thirty, the words "oath of office. No fees shall be charged by an officer for administering and certifying the oath of office, or filing, or recording official bonds."

Adopted.

Senator Berry moved to amend, as follows.

By adding after the word "attorney," in line two, in section sixty-six, on page twenty-four, the following: "The provisions of this subdivision shall take effect immediately."

Adopted.

Also:

Amend by striking out of section one hundred and seventy-three, page eighty-one, lines forty-two and forty-three.

Adopted.

Also:

Amend by striking out of section one hundred and seventy-three, page eighty-two, lines twenty-two, twenty-three, and twenty-four, and inserting the following: "Supervisors, eighteen hundred dollars per annum for all services required of them as Supervisors and Road Commissioners. The provisions of this subdivision shall take effect January 1, 1895."

Adopted.

Also:

Amend by striking out of section one hundred and ninety-seven, page one hundred and sixty-one, line thirty-one, the words and figures: "(\$5,200) five thousand two hundred," and inserting the following words and figures: "(\$6,500) six thousand five hundred."

Adopted.

Also:

Amend section two hundred and thirty-three, line one, after "office," by inserting the following: "unless otherwise provided."

Adopted.

Also:

Amend by striking out of section two hundred and thirty-five, line eight, after the word "officers," and inserting the following: "the salaries of their deputies, clerks, or assistants, and the number of such deputies, clerks, or assistants."

Adopted.

Senator Martin moved to amend, as follows:

In section one hundred and ninety-nine, line six, by striking out "seven hundred and fifty," and inserting the following: "five hundred."

Adopted.

Senator McGowan moved to amend, as follows:

In section twenty-five, line two hundred and fifty-three, subdivision twenty-nine and one half, by inserting after the word "of," the words "fish and;" and after the word "county" insert "and to regulate the size and kind of nets and seines to be used in fishing."

Adopted.

Senator Voorheis moved to amend, as follows:

Amend section two hundred and fifteen of printed bill, page one hundred and eighty-eight, by inserting after the word "annum," in line twenty-two, the following: "*provided*, that in so far as this section relates to the pay of Road Commissioners, the provisions of this Act shall take effect immediately upon its passage."

Adopted.

Also:

Amend by inserting in section two hundred, line eighty-two, page one hundred and sixty-seven, after the words "other matter," the words "for a suitor."

Adopted.

Also:

Amend by striking out of section two hundred, line eighty, page one hundred and sixty-seven, the word "except."

Adopted.

Senator Hoyt moved to amend, as follows:

By striking out of section one hundred and seventy-five, lines two hundred and thirty-six and two hundred and thirty-seven, page ninety-two, printed bill, the words "this section, so far as it relates to Constables and Justices, shall take effect and be in force from and after its passage," and inserting the following: "this section, so far as it relates to Court reporters, Constables, Justices, jurors, witnesses, and deposit to Clerk for civil and probate cases, shall take effect and be in force from and after its passage."

Adopted.

Senator Orr moved to amend, as follows:

By striking out of section one hundred and ninety-four lines one hundred and fifty-four, one hundred and fifty-five and one hundred and fifty-six.

Adopted.

Also:

Amend by striking out of section one hundred and ninety-four, line one hundred and sixty-three, the word "five," and inserting the following: "ten."

Adopted.

Also:

Amend by striking out of section one hundred and eighty-three, line one hundred and sixty-four page one hundred and twenty-three, the word "five," and inserting the following: "ten."

Adopted.

Senator Gesford moved to amend, as follows:

By striking out of section two hundred and two, line twenty-seven, the words "a witness," and inserting the following: "witnesses."

Adopted.

Also:

Amend by striking out of section two hundred and two, lines twenty-eight and twenty-nine the words "on the first day of January, 1892," and inserting the following in lieu thereof: "immediately."

Adopted.

Senator Burke moved to amend, as follows:

By striking out of section twenty-five, line seventeen, the words "fifteen hundred" and inserting the following in lieu thereof: "three thousand."

Adopted.

Senator Williams moved to amend, as follows:

In section twenty-five, subdivision twenty-seven, line two hundred and thirty-seven, after the word county, "except agricultural or pastoral occupations."

Lost.

Senator Burke moved to amend, as follows:

By striking out of section twenty-five, subdivision twenty-three, lines two hundred and twenty-seven and two hundred and twenty-eight, the words "of general ornament to be selected by the Board of Supervisors," after the word "newspaper" and inserting the following: "published in the city, town, or village nearest the property affected."

*Lost.

Substitute for Assembly Bill No. 74 ordered to print and on file for third reading.

RESOLUTION.

By Senator Ford:

Resolved, That Assembly Bill No. 611 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

The roll was called, and Assembly Bill No. 611 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Earl, Everett, Fay, Ford, Gesford, Goucher, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seawell, Simpson, Voorheis, Whitehurst, Williams, and Wilson—27.
NOES—None.

CASE OF URGENCY.

Assembly Bill No. 611—An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California.

Read second and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Everett, Fay, Ford, Gesford, Goucher, Hart, McAllister, McGowan, Maher, Mahoney, Ostrom, Seawell, Shippee, Streeter, Whitehurst, and Wilson—21.
NOES—Messrs. Denison and Voorheis—2.

RESOLUTIONS.

By Senator Burke:

Resolved, That the Sergeant-at-Arms be and he is hereby ordered to place upon the desk of each Senator, one copy of each Act passed and approved by the Governor to date.

Adopted.

By Senator Goucher:

Resolved, That T. H. Simpson, the Mailing and Folding Clerk, be allowed pay for the period of ten days from and after the date of the final adjournment of the thirtieth session of the Legislature, at the same per diem which he is now receiving, for services to be rendered by him in wrapping and shipping all books, bills, etc., and the Controller is hereby authorized and directed to draw his warrant upon the Treasurer in favor of said T. H. Simpson for ten days' pay, and the Treasurer is hereby directed to pay the same.

Senator Goucher moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hart, McAllister, Maher, Martin, Seawell, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—25.
NOES—None.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

By Senator Williams:

Resolved, That the resolution appointing J. J. O'Connor Assistant Sergeant-at-Arms of the Senate, be amended so as to read as follows:

Resolved, That J. J. O'Connor be and he is hereby appointed Assistant Journal Clerk of the Senate, with duties as Second Assistant Sergeant-at-Arms, at the same per diem as the Journal Clerk, to take effect January 2, 1893, the same to be paid out of the Contingent Fund of the Senate, and the Controller is hereby authorized to draw his warrant for the same, and the Treasurer directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRODERICK.
MAHER.
ARMS.
STREETER.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Arms, Berry, Broderick, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Ford, Goucher, Harp, Hart, McAllister, Maher, Mahoney, Mathews, Mitchell, Seawell, Streeter, Voorheis, Whitehurst, and Williams—24.
NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

Resolved, That all officers and attachés of the Senate are hereby required to deliver to the Sergeant-at-Arms all books, documents, stationery, keys, and all other property belonging to the State, in their possession, before the final adjournment.

Amend by adding: "Nothing in this resolution shall apply to the Secretary, Minute Clerk, and Journal Clerks."

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

STREETER, Chairman.

Adopted as amended.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

By Senator Everett:

Resolved, That the Sergeant-at-Arms of the Senate and his clerks be and they are hereby employed, after the final adjournment of the Senate, for the purpose of completing the work devolved upon the Sergeant-at-Arms, turning over to the Secretary of State the books, papers, and personal property in his charge, closing up the accounts and completing the labors of his office, and that they be allowed ten days' extra pay therefor, payable out of the Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant for the same, and the Treasurer is hereby ordered to pay the same.

Amend so as to read five days.

Have had the same under consideration, and respectfully report the same back amended, and recommend that it do pass as amended.

STREETER, Chairman.

Amendment adopted.

The roll was called, with the following result:

AYES—Messrs. Berry, Broderick, Burke, Denison, Earl, Everett, Ford, Goucher, Maher, Mahoney, Martin, Mathews, Seawell, Simpson, Streeter, Voorheis, and Williams—17.
NOES—None.

· RECESS.

It appearing from the roll call that no quorum was present, the President thereupon, at ten o'clock and forty minutes P. M., declared a recess.

REASSEMBLED.

At ten o'clock and fifty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

MESSRS. Arms, Bailey, Berry, Burke, Campbell, Denison, Dunn, Earl, Everett, Flint, Harp, McGowan, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ATTACHÉS, CONTINGENT EXPENSES, AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following account:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to pay the following bills, as per vouchers:

| | |
|--|----------|
| A. Walton, laundry..... | \$5 85 |
| C. H. Rave, locksmith..... | 20 25 |
| Union Ice Company, ice, February 1st to February 28th..... | 32 50 |
| Union Ice Company, ice, March 1st to March 14th..... | 21 00 |
| C. T. Seavey, labor for Sergeant-at-Arms..... | 4 00 |
| Frank H. Wing, rubber stamp..... | 2 00 |
| A. Walton, laundry to March 9th..... | 5 40 |
| William Wick, labor..... | 10 00 |
| Total..... | \$101 00 |

Resolved, That the Controller be and is hereby directed to draw his warrant in favor of the Sergeant-at-Arms of the Senate for the sum of one hundred and one dollars, and the Treasurer is directed to pay the same out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back with the accompanying resolution, and recommend the adoption of the resolution.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Goucher, Harp, McAllister, Mahoney, Martin, Mathews, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Williams—25.
 NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Attachés, Contingent Expenses, and Mileage, to whom was referred the following resolution:

WHEREAS, George B. Shearer has acted as Sergeant-at-Arms to the Committee on Constitutional Amendments from January 22 up to March 6, 1893, and has received no compensation for the same; therefore, be it

Resolved, That said George B. Shearer be allowed compensation for said services at a per diem of five dollars, from said January 22 to March 6, 1893, the same to be paid out of the Contingent Fund of the Senate, and that the Controller be and he is hereby directed to draw his warrant for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

STREETER, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Biggy, Campbell, Carpenter, Denison, Everett, Flint, Harp, Hart, McAllister, McGowan, Mahoney, Martin, Mathews, Orr, Ostrom, Seawell, Seymour, Shippee, Simpson, Streeter, and Whitehurst—21.
 NOES—None.

Senator Streeter moved to adopt the resolution as amended, allowing the Sergeant-at-Arms of the Senate and his clerks five days' pay, etc.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Everett, Fay, Flint, Harp, Hart, Hoyt, McAllister, Maher, Martin, Orr, Ragsdale, Seawell, Seymour, Simpson, Streeter, Voorhees, and Whitehurst—24.
 NOES—None.

RESOLUTION.

By Senator Everett:

Resolved, That E. W. Shaeffer be allowed pay for the period of seven days from and after the date of the final adjournment of the thirtieth session of the Legislature, at the same per diem which he is now receiving, for services to be rendered by him in receiving and taking mail to and from the Post Office after such adjournment, and the Controller is hereby authorized and directed to draw his warrant upon the Treasurer in favor of said E. W. Shaeffer for said seven days' pay, and the Treasurer is hereby directed to pay the same out of the funds for the contingent expenses of the Senate.

Senator Everett moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Biggy, Campbell, Denison, Earl, Everett, Flint, Goucher, Hart, Hoyt, McAllister, McGowan, Mahoney, Martin, Mathews, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, and Williams—23.

NOES—Messrs. Berry, Dunn, Harp, Ostrom, and Whitehurst—5.

ADJOURNMENT.

At eleven o'clock P. M., on motion of Senator Hart, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,

Tuesday, March 14, 1893. }

The Senate met pursuant to adjournment, at eight o'clock and thirty minutes A. M.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal, the further reading was dispensed with, on motion of Senator Campbell.

APPROVAL OF JOURNALS.

The Journals of Saturday, March 11th, and Monday, March 13th, were approved.

SPECIAL REPORT OF COMMITTEE ON JUDICIARY.

The Judiciary Committee presented the following report, relative to statement of Senator Hart, in regard to the vote whereby Senate Constitutional Amendment No. 23 was adopted:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred the proposed statement of Senator Hart, relative to the vote whereby Senate Constitutional Amendment No. 23 was adopted, have had the same under consideration, and hereby respectfully report as follows:

We beg leave to state that Senator Hart, during the entire consideration of said amendment, was opposed to the same, and earnestly and ably endeavored to defeat the same, and did all that it was possible for him to do for his constituents in the premises.

We recommend that Senator Hart be permitted to have the following personal statement entered in the Journal:

PERSONAL STATEMENT OF SENATOR HART.

"When the roll of the Senate was called on last Saturday evening on the passage of Senate Constitutional Amendment No. 23, and my name was reached, I voted 'no.' Upon the completion of the roll call, and before the announcement of the vote, I ascertained that twenty-seven votes had been cast in favor of said amendment. Thereupon I changed my vote from 'no' to 'aye' for the purpose of giving notice, at the proper time, of a motion to reconsider the vote whereby said Senate Constitutional Amendment No. 23 was adopted. The President of the Senate thereupon announced the vote as twenty-eight ayes and seven noes. Upon the announcement of the vote, I at once attempted to gain the recognition of the Chair, for the purpose of carrying out my intention of giving notice of a motion to reconsider, but a motion to adjourn was put and carried before I could gain such recognition, and I was thus prevented from giving such notice of motion to reconsider."

Respectfully submitted.

McGOWAN, Chairman.

Report unanimously adopted.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 568—An Act providing for the dissolution of certain corporations doing a banking business.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following have been correctly enrolled:

Senate Joint Resolution No. 25—An Act memorializing the Attorney-General and the Secretary of the Interior of the United States of America to locate one of the United States prisons, provided for by an Act of Congress, March 3, 1891, within the State of California.

Also: Senate Joint Resolution No. 5—Relative to indebtedness of the United States Government to the State of California.

Also: Senate Constitutional Amendment No. 7—To propose to the people of the State of California an amendment to the Constitution of the State, amending section nine of article thirteen thereof, relative to the election of a State Board of Equalization.

Also: Senate Concurrent Resolution No. 9—Relative to proceedings of Blaine memorial.

Also: Senate Concurrent Resolution No. 11—Approving the charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town, at a special election held therein for that purpose, on February 28, 1893.

Also: Senate Concurrent Resolution No. 12—Approving the charter of the city of Napa, in Napa County, California, which was voted for and ratified by the qualified electors of said city at a special election held therein for that purpose on March 9, 1893.

RAGSDALE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 186—An Act to amend section one thousand four hundred and forty-four of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons.

Also: Senate Bill No. 217—An Act to amend section ten of the Political Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 743—An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane, for the forty-fourth fiscal year.

Also: Senate Bill No. 22—An Act to provide for the completion and equipment of the Deaf and Dumb and Blind Asylum, and to make an appropriation therefor.

Also: Senate Bill No. 184—An Act to amend sections ten and one hundred and thirty-four of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 215—An Act to amend section seven of the Civil Code of the State of California, relating to legal holidays and non-judicial days.

Also: Senate Bill No. 781—An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor William Irwin, and to prescribe the duties of the Controller and Directors of State Burial Grounds in relation thereto.

RAGSDALE, Chairman.

SPECIAL ORDER—THIRD READING OF BILL.

Assembly Bill No. 67—An Act to provide for the purchase of a residence for the Governor of the State of California, and to appropriate money therefor.

Bill read third time on a previous day.

The question being on the adoption of the report of the special committee of one, as follows:

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 13, 1896.

MR. PRESIDENT: Your special committee of one, to whom was referred Assembly Bill No. 67, with instructions to amend by striking out of section one, lines three, four, five, and six, and inserting the following in lieu thereof: "The Governor's residence, on South Second Street, in the city of San José," has had the same under consideration, and respectfully reports the same back, amended as per instructions.

WHITEHURST, Committee.

Report of special committee of one rejected.

The roll was called on the final passage of the bill, and the bill refused final passage by the following vote:

AYES—Messrs. Broderick, Denison, Ford, Hart, Maher, Mahoney, Shippee, Williams, and Wilson—9.

NOES—Messrs. Bailey, Berry, Biggy, Campbell, Earl, Everett, Fay, Flint, Goucher, Harp, Langford, McAllister, Martin, Mathews, Mitchell, Orr, Seawell, Seymour, Simpson, Streeter, and Whitehurst—21.

SPECIAL ORDER—THIRD READING OF BILL.

Senate Bill No. 777—An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Campbell, Denison, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson—30.

NOES—None.

Title read and approved.

MOTION.

Senator Orr moved that Senate Bill No. 777 be immediately transmitted to the Assembly.

So ordered.

SPECIAL ORDER—THIRD READING OF BILL.

Senate Bill No. 121—An Act to amend sections eight, ten, and eleven of an Act entitled "An Act to establish a branch insane asylum for the insane of the State of California, at Ukiah, to be known as the Mendocino State Insane Asylum," and appropriating money therefor," approved February 20, 1889, relating to the election, duties, and compensation of the Secretary and Treasurer of the Board of Directors of said asylum; also the qualifications, duties, and compensation of the Medical Superintendent of said asylum; and also the appointment, duties, and com-

pensation of the Assistant Physician, and authorizing the Board of Directors, if in their judgment it should become necessary, to elect an additional Assistant Physician, and providing for his compensation.

Read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Everett, Fay, Flint, Ford, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Simpson, Streeter, and Whitehurst—22.

NOES—Messrs. Denison, Orr, and Voorheis—3.

Title read and approved.

REPORT OF STANDING COMMITTEES.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 786—An Act making an appropriation to pay the salary of the third Judge of the Superior Court of Fresno County, for the remainder of the forty-fourth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 758—An Act to enable the State of California to purchase the right to make, use, and vend a patented improvement in a composition for protecting piles—have had the same under consideration, and respectfully report the same back without recommendation.

VOORHEIS, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Assembly Bill No. 815—An Act to add a new article to chapter one of title two, part three of the Political Code of the State of California, to be known and designated as article four; and to add six new sections, to be known and designated as sections one thousand and seventy-five, one thousand and seventy-six, one thousand and seventy-seven, one thousand and seventy-eight, one thousand and seventy-nine, and one thousand and eighty, relative to County, City, and City and County Boards of Election Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

VOORHEIS, Chairman.

CASE OF URGENCY.

Assembly Bill No. 540—An Act to provide for the publication of legal notices.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Campbell, Denison, Fay, Harp, Hart, Langford, McAllister, McGowan, Maher, Martin, Mathews, Orr, Ostrom, Ragsdale, Seymour, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—24.

NOES—None.

Title read and approved.

RESOLUTION.

By Senator Martin:

Resolved, That Senate Bill No. 785 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Six Senators objecting, the resolution was declared out of order.

Assembly Bill No. 66—An Act to pay the claim of George Nelson against the State of California.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Earl, Flint, Harp, Hart, Langford, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—23.

NOES—Senator Fay—1.

Title read and approved.

THIRD READING OF BILL.

Senate Bill No. 697—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

Read third time, and finally passed by the following vote:

AYES—Messrs. Biggy, Broderick, Campbell, Denison, Dunn, Earl, Fay, Langford, McAllister, McGowan, Maher, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—22.

NOES—Senator Ford—1.

Title read and approved.

CASE OF URGENCY.

Assembly Bill No. 742—An Act to encourage the establishment of county, and city and county reform schools for the correction, care, and maintenance of juvenile offenders, and to provide State aid, and appropriate money therefor.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Fay, Flint, Ford, Harp, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Seawell, Shippee, Voorheis, Whitehurst, and Wilson—24.

NOES—Messrs. Burke and Seymour—2.

Title read and approved.

SENATE CONCURRENT RESOLUTION.

By Senator Langford: Senate Concurrent Resolution No. 13—

Relative to requesting the Board of Examiners to have a report printed on ramie culture, and to have three thousand copies printed, to be furnished to the State Board of Agriculture for free distribution.

Resolved by the Senate, the Assembly concurring. That the Board of Examiners of the State be authorized to have printed three thousand copies of a report up to date on ramie culture, by the State Superintendent of Ramie Culture, W. H. Murray, for free distribution, and the same to be furnished to the State Board of Agriculture; also, that one bound volume be made for all members of the Senate and Assembly, and State officers.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Messrs. Arms, Bailey, Biggy, Denison, Everett, Ford, Langford, McAllister, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Simpson, Williams, and Wilson—18.

NOES—Messrs. Berry, Dunn, Earl, Fay, Harp, Mathews, Seawell, Streeter, and Voorheis—9.

Senator McGowan in the chair.

Senator Denison offered the following resolution:

Resolved, That Assembly Bills Nos. 219, 585, 850, 108, and Senate Bills Nos. 786 and 251 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution was adopted, and the above-named bills declared cases of urgency by the following vote:

AYES—Messrs. Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Ford, Gesford, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Seymour, Shippee, Simpson, Streeter, and Whitehurst—27.

NOES—Senator Berry—1.

CASES OF URGENCY—FIRST, SECOND, AND THIRD READING OF BILLS.

Assembly Bill No. 219—An Act to amend section three thousand seven hundred and forty-six of an Act entitled "An Act to amend section three thousand seven hundred and forty-six of an Act entitled 'An Act to establish a Political Code,' approved March 12, A. D. 1872," and approved March 31, A. D. 1891.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, Martin, Mitchell, Orr, Seawell, Seymour, Simpson, Streeter, and Whitehurst—25.

NOES—Messrs. Langford, McAllister, McGowan, Ostrom, Ragsdale, and Shippee—6.

Title read and approved.

Assembly Bill No. 585—An Act to amend section one thousand five hundred and two of the Political Code, respecting Normal Schools.

Read first, second, and third times, and finally passed by the following vote.

AYES—Messrs. Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Whitehurst, and Williams—26.

NOES—Senator Langford—1.

Title read and approved.

Assembly Bill No. 850—An Act to amend section one thousand six hundred and fourteen, title two, of the Penal Code, in relation to the government of prisoners sentenced to terms of imprisonment in county jails.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Campbell, Carpenter, Denison, Everett, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, and Streeter—27.

NOES—None.

Title read and approved.

Senate Bill No. 786—An Act making an appropriation to pay the salary of the third Judge of the Superior Court of Fresno County, for the remainder of the forty-fourth fiscal year.

Read first and second times, considered engrossed, read a third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Campbell, Dunn, Everett, Fay, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seymour, Shippee, and Streeter—23.
NOES—Senator Burke—1.

Title read and approved.

CALL OF THE SENATE.

Senator Biggy moved a call of the Senate.

So ordered.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

The Sergeant-at-Arms was ordered to close the doors.

Senator Ostrom moved that further proceedings under the call of the Senate be dispensed with.

So ordered.

Whereupon, the Chair ordered the Sergeant-at-Arms to open the doors of the Senate.

CASES OF URGENCY.

Senate Bill No. 251—An Act for the relief of Barnaby Dougherty.

Read first and second times, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Bailey, Broderick, Campbell, Carpenter, Denison, Everett, Flint, Ford, Gesford, Hart, Hoyt, Maher, Martin, Orr, Ragsdale, Seymour, Simpson, Streeter, Voorheis, Williams, and Wilson—21.

NOES—Messrs. Arms, Berry, Biggy, Burke, Dunn, Fay, Goucher, McAllister, Mathews, Mitchell, Shippee, and Whitehurst—12.

Title read and approved.

Assembly Bill No. 108—An Act to amend sections two hundred and four, two hundred and five, two hundred and six, and two hundred and eight of the Code of Civil Procedure.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Carpenter, Denison, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, McGowan, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seymour, and Whitehurst—24.

NOES—Messrs. Arms and Seawell—2.

Title read and approved.

On motion of Senator Ostrom, the following Assembly message was read:

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, ordered immediately returned to the Senate, Substitute for Assembly Bill No. 596, in accordance with the request of the Senate made this day.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senator Ostrom moved to reconsider the vote whereby the Senate refused passage to Assembly Bill No. 596 on yesterday.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs. Broderick, Burke, Campbell, Earl, Everett, Ford, Gesford, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Voorheis, Williams, and Wilson—23.

NOES—Messrs. Arns, Bailey, Berry, Carpenter, Denison, Dunn, Fay, and Mathews—8.

Committee Substitute for Assembly Bill No. 596—An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation.

Senator Seymour moved that Senator Whitehurst be appointed a special committee of one to amend the bill, as follows:

Amend so that section four shall read:

"SEC. 4. The Commissioner shall perform such duties in the examination of lands subject to inundation and overflow by flood waters, and of the waters causing and making such inundation and overflow, and in the preparation of plans and estimates of cost for works to regulate and control such flood waters, as he may be directed to perform from time to time by the Governor; and he shall perform such other duties in the examination, supervision, and management of such public works constructed or carried on by the State, or under State authority, or under any law of the State, as he may be directed to perform from time to time by law. He shall have the power to employ such engineers, assistants, attorneys, agents, and persons as he may deem necessary to carry out the provisions of this Act, or to perform any duties imposed by any law upon said Commissioner, and to fix their compensation."

So ordered.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your special committee of one, to whom was referred Committee Substitute for Assembly Bill No. 596, with instructions to amend, has had the same under consideration, and respectfully reports the same back, amended as per instructions.

WHITEHURST, Committee.

Report of special committee of one adopted.
Bill ordered to print as amended.

COMMUNICATION.

To Hon. J. B. REDDICK, President of the Senate of California:

SIR: In accordance with a resolution adopted by the Mayor and Common Council of the city of San José, the President and members of the Senate are respectfully invited to visit San José, as guests of the city, on Wednesday, the fifteenth instant, the day following the adjournment of the Legislature. A special train will leave the depot at one o'clock P. M. of that day.

H. E. SCHILLING,
Mayor of the City of San José.
J. N. B. BRACKETT,
Acting Clerk.

SAN JOSÉ, March 13, 1893.

On motion of Senator Gesford, the invitation was accepted.

RESOLUTION.

By Senator Ragsdale:

Resolved, That Senate Bill No. 148, and Assembly Bills Nos. 393, 513, and 272, present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills shall be read the first, second, and third times, and placed upon their passage.

The roll was called, and the above bills declared cases of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Burke, Carpenter, Denison, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Whitehurst, Williams, and Wilson—30.

NOES—None.

CASES OF URGENCY.

Assembly Bill No. 272—An Act to amend section one thousand eight hundred and eighty-one of the Code of Civil Procedure, relating to witnesses.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Voorheis, Whitehurst, and Wilson—28.

NOES—None.

Title read and approved.

Assembly Bill No. 513—An Act to prevent the spread of contagious or infectious diseases among domestic animals.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Campbell, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Whitehurst, Williams, and Wilson—25.

NOES—None.

Title read and approved.

SPECIAL ORDER—CONSIDERATION OF GOVERNOR'S MESSAGES.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1893.

To the Senate of the State of California:

I hereby nominate J. H. Davisson, of the city and county of Los Angeles, to the office of Member of the State Board of Health, to succeed W. G. Cochran, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Chair announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of J. H. Davisson, of the city and county of Los Angeles, to the office of Member of State Board of Health, to succeed W. G. Cochran?"

By direction of the Chair the roll was called, with the following result:

AYES—Messrs. Arms, Berry, Biggy, Burke, Campbell, Denison, Earl, Fay, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—32.

NOES—None.

Whereupon, the Chair announced the appointment of J. H. Davisson to the office of Member of the State Board of Health duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 13, 1893. }

To the Senate of the State of California:

I hereby nominate Charles W. Pauly, of the city and county of San Diego, to the office of Harbor Commissioner for the Bay of San Diego, to succeed W. W. Stewart, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Chair announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Charles W. Pauly, of the city and county of San Diego, to the office of Harbor Commissioner for the Bay of San Diego, to succeed W. W. Stewart?"

By direction of the Chair the roll was called, with the following result:

AYES—MESSRS. ARMS, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Shippee, Simpson, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

Whereupon, the Chair announced the appointment of Charles W. Pauly to the office of Harbor Commissioner for the Bay of San Diego duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 13, 1893. }

To the Senate of the State of California:

I hereby nominate D. C. Reed, of the city and county of San Diego, to the office of Harbor Commissioner for the Bay of San Diego, to succeed Clark Alberti, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Chair announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of D. C. Reed, of the city and county of San Diego, to the office of Harbor Commissioner for the Bay of San Diego, to succeed Clark Alberti?"

By direction of the Chair the roll was called, with the following result:

AYES—MESSRS. ARMS, Bailey, Berry, Biggy, Burke, Campbell, Denison, Dunn, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

Whereupon, the Chair announced the appointment of D. C. Reed to the office of Harbor Commissioner for the Bay of San Diego duly confirmed.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 13, 1893. }

To the Senate of the State of California:

I hereby nominate Winslow Anderson, of the City and County of San Francisco, to the office of Member of the State Board of Health, to succeed W. R. Cluness, and respectfully ask your consent to the same.

H. H. MARKHAM, Governor.

The Chair announced for consideration the confirmation of the above appointment.

Upon the question, "Will the Senate advise and consent to the appointment of Winslow Anderson, of the City and County of San Francisco, to the office of Member of the State Board of Health, to succeed W. R. Cluness?"

By direction of the Chair the roll was called, with the following result:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—35.

NOES—None.

Whereupon, the Chair announced the appointment of Winslow Anderson to the office of Member of the State Board of Health duly confirmed.

CASES OF URGENCY—(RESUMED).

Assembly Bill No. 393—An Act to amend section seven hundred and ninety of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Berry, Campbell, Denison, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ostrom, Ragsdale, Seymour, and Simpson—24.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bill has been correctly engrossed: Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

MOTION.

On motion of Senator Hart, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth day of March, adopted and ordered immediately transmitted to the Senate, Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to article thirteen of the Constitution, section one, in relation to revenue and taxation.

Also: Passed Assembly Bill No. 141—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending sections three, four, eleven, twelve, thirty-six, and thirty-seven thereof, and by repealing section forty-one thereof.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Constitutional Amendment No. 16 ordered to enrollment.

Assembly Bill No. 141 re-referred to Committee on Irrigation and Water Rights.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 598—An Act to provide for the establishment, maintenance, and support of a bureau to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau.

Also: Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Respectfully refused to pass Senate Bill No. 635—An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 598 and 759 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, respectfully refused to pass Senate Bill No. 141—An Act to retire teachers of the public schools of the State of California upon partial pay.

Also: Passed Senate Bill No. 191—An Act to amend section four hundred and ten of the Code of Civil Procedure, relative to the manner of serving summons and complaint.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 191 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth day of March, adopted, and ordered immediately transmitted to the Senate, Senate Joint Resolution No. 27—Relative to the appointment of Congressman Caminetti on the Committee on Rivers and Harbors in the Congress of the United States.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Joint Resolution No. 7 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 644—An Act relating to the operation of railroads.

Also: Senate Bill No. 205—An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money, for the paving of California Street in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street.

Also: Adopted Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to section seven of article nine of the Constitution of the State of California, by increasing the number of members constituting the State Board of Education, by adding thereto the President and Professor of Pedagogics of the University of California.

Also: Respectfully refused to pass Senate Bill No. 283—An Act to provide for the purchase of Supreme Court reports.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 644 and 205 ordered to enrollment.

Senator Earl moved that Assembly Constitutional Amendment No. 31 be taken up and considered.

So ordered.

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to section seven (7) of article nine (IX) of the Constitution of the State of California, by increasing the number of members constituting the State Board of Education, by adding thereto the President and Professor of Pedagogics of the University of California.

Assembly Constitutional Amendment No. 31 read and adopted by the following vote:

AYES—MESSRS. ARMS, Bailey, Berry, Broderick, Burke, Campbell, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, McAllister, McGowan, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Whitehurst, and Williams—27.

NOES—None.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply, at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Read third time, and finally passed by the following vote:

AYES—MESSRS. ARMS, Bailey, Berry, Biggy, Broderick, Campbell, Dunn, Earl, Everett, Fay, Ford, Gesford, Harp, Hart, Hoyt, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Williams—29.

NOES—None.

Title read and approved.

RECESS.

At twelve o'clock M. the Chair declared a recess until one o'clock and thirty minutes P. M.

REASSEMBLED.

At one o'clock and thirty minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

MESSRS. Berry, Broderick, Campbell, Denison, Hart, Ostrom, Ragsdale, Shippee, Simpson, Voorheis, Whitehurst, and Wilson.

RECESS.

The roll call showing no quorum present, the President declared a recess until four o'clock P. M.

REASSEMBLED.

At four o'clock P. M. the Senate reassembled.

Senator McGowan in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Williams, and Wilson.

Quorum present.

Senator Ford moved that the Senate reconsider the vote whereby the Assembly amendments to Senate Bill No. 210 were concurred in.

So ordered.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

Senator Ford moved that the Senate concur in the following Assembly amendment to Senate Bill No. 210:

By striking out all of section three, and by renumbering section four section three.

Lost.

Senator Ford moved that a Committee of Conference be appointed to meet a like committee from the Assembly, on Senate Bill No. 210.

So ordered.

COMMITTEE OF CONFERENCE.

The following were appointed the Committee of Conference: Senators Ford, Maher, and Carpenter.

FINAL PASSAGE OF BILL.

Committee Substitute for Assembly Bill No. 596—An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making appropriation.

The bill having been read a third time, the question was on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Campbell, Earl, Flint, Ford, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Williams—24.

NOES—Messrs. Berry, Burke, Carpenter, Fay, and Harp—5.

Title read and approved.

On motion of Senator Maher, Assembly Bill No. 313 was taken up.

THIRD READING OF BILL.

Assembly Bill No. 313—An Act making an appropriation to pay Cyrus Lyon the sum of one thousand dollars for the capture of Anastacio Garcia in 1855.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Campbell, Carpenter, Dunn, Earl, Flint, Harp, Hart, Hoyt, McGowan, Maher, Mahoney, Martin, Mathews, Orr, Ostrom, Ragsdale, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Williams—23.

NOES—None.

Title read and approved.

Senator Carpenter moved that Committee Substitute for Assembly Bill No. 74 be now taken up, and after having been considered, that the cases of urgency file be then considered.

So ordered.

THIRD READING OF BILL.

Committee Substitute for Assembly Bill No. 74—An Act to establish a uniform system of county and township governments.

Read third time, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Dunn, Earl, Fay, Gestford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Shippee, Simpson, Whitehurst, Williams, and Wilson—28.

NOES—None.

Title read and approved.

Hon. J. B. Reddick, President of the Senate, in the chair.

QUESTION OF PRIVILEGE.

Senator Hart arose to a question of privilege, regarding an article in the Sacramento "Bee," and stated that the article did him a great injustice.

COMMUNICATION.

OROVILLE, CAL., March 13, 1893.

To the honorable Senators of the thirtieth session of the Legislature:

Permit me to express to your honorable body my gratitude for your generous and kindly offices in participating in the last sad rites in the obsequies of Mr. E. B. Price.

Yours sincerely,

MRS. E. B. PRICE.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA, }
SACRAMENTO, March 14, 1893. }

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 384.

H. H. MARKHAM, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Assembly Bill No. 857—An Act to provide for an appropriation for the contingent expenses of the Assembly.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 857 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 857 declared a case of urgency by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Earl, Fay, Flint, Ford, Gesford, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Seawell, Shippee, Streeter, Voorheis, Whitehurst, Williams, and Wilson—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 857—An Act to provide for an appropriation for the contingent expenses of the Assembly.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Campbell, Carpenter, Denison, Earl, Fay, Flint, Gesford, Harp, Hart, Hoyt, McAllister, Maher, Martin, Mitchell, Orr, Ragsdale, Seawell, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—27.

NOES—None.

Title read and approved.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 697—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

Also: Respectfully refused to pass Senate Bill No. 693—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

Also: Passed Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Also: Senate Bill No. 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Also: Senate Bill No. 736—An Act to prevent compulsory prostitution of women, and the importation of Chinese or Japanese women for immoral purposes, and to provide penalties therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 697, 693, 341, 757, and 736 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for the increase in the annual appropriation therefor, and changing the time for the payment thereof.

Also: Amended, and passed as amended, Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Also: Adopted Senate Constitutional Amendment No. 20—An Act to submit to the people of the State of California an amendment to section twenty-three of article four of the Constitution of the State of California.

Also: Assembly Joint Resolution No. 20—Relating to ownership and operations of railroads by the people.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 147, Senate Constitutional Amendment No. 20, and Assembly Joint Resolution No. 20 ordered to enrollment.

ASSEMBLY AMENDMENTS.

The question being, "Shall the Senate concur in the following Assembly amendments to Senate Bill No. 606?"

COMMITTEE AMENDMENT No. 1.

Amend by striking out in section one, line one, the words "six thousand," and inserting in lieu thereof the words "fifteen hundred."

COMMITTEE AMENDMENT No. 2.

Amend by striking out in section two, line two, the words "six thousand," and inserting in lieu thereof the words "fifteen hundred."

The roll was called, and the Senate refused to concur in the amendments by the following vote:

AYES—Senator Hart 1.
NOES—Messrs. Arms, Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Orr, Seawell, Seymour, and Shippee—24.

MOTION.

Senator Seawell moved that a Committee of Free Conference on Senate Bill No. 606 be appointed.

So ordered.

The President appointed as such committee, Senators Seawell, McGowan, and Berry.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, amended, and passed as amended, and ordered immediately transmitted to the Senate, Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Also: Finally passed Senate Bill No. 576—An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department.

Also: Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Also: Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Also: Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Also: Substitute for Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner.

Also: Senate Bill No. 66—An Act making an appropriation for the relief of F. Marion Wells.

Also: Senate Bill No. 331—An Act to appropriate money for the erection of a monument in the Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo.

Also: Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Also: Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

ASSEMBLY AMENDMENT CONCURRED IN.

Senator McAllister moved that the Senate concur in the following Assembly amendment to Senate Bill No. 438:

Amend by inserting in section one, line six, after the word "conduct," the following: "or any person of lewd or immoral character."

Adopted.

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 438?"

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Goucher, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Orr, Ragsdale, Seymour, Shippee, Simpson, Voorheis, Whitehurst, and Williams—30.

NOES—None.

Senate Bill No. 438, as amended, ordered to reëngrossment and enrollment.

Senate Bills Nos. 576, 286, 381, and 363, Substitute for Senate Bill No. 389, Senate Bills Nos. 66, 331, 211, and 689 ordered to enrollment.

REPORT OF COMMITTEE OF CONFERENCE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your Committee of Conference concerning Senate Bill No. 210, having met with a like committee of the Assembly, beg leave to report as follows:

Said joint committee have agreed to and do hereby recommend that the Assembly recede from Assembly Amendment No. 2 to said Senate Bill No. 210.

FORD.
MAHER.
CARPENTER.

CASES OF URGENCY.

Assembly Bill No. 53—An Act to amend an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889, by amending the title to said Act, and by amending sections one, four, seven, eight, nine, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-three, twenty-four, twenty-six, twenty-seven, twenty-eight, twenty-nine, and thirty thereof, and by adding four new sections thereto, to be numbered, respectively, sections sixteen *a*, sixteen *b*, sixteen *c*, and sixteen *d*, relating to a change in the name of the institution and the powers and duties of the public officers thereof, and the manner and conditions under which commitments may be made thereto, and of the rights and obligations of persons committed thereto, and of the powers and duties of certain public officers in connection therewith, and generally relating to the State school located and established under the aforesaid Act, and now maintained by the State of California, at Whittier, in the county of Los Angeles, therein.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Carpenter, Denison, Earl, Everett, Fay, Flint, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Streeter, Whitehurst, Williams, and Wilson—31.

NOES—None.

Title read and approved.

SECOND AND THIRD READING OF BILL.

Senate Bill No. 282—An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872.

Read second time, considered engrossed, read third time, and finally passed by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Carpenter, Denison, Earl, Everett, Fay, Gesford, Goucher, Harp, Hart, McAllister, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—26.
NOES—None.

Title read and approved.

RESOLUTION.

By Senator Langford:

Resolved, That Assembly Bills Nos. 141 and 578 present cases of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, with the following result:

AYES—Messrs. Arms, Broderick, Burke, Dunn, Fay, Goucher, Hoyt, Langford, McAllister, and Mitchell—10.
NOES—Messrs. Berry, Denison, Earl, Harp, Ostrom, and Seymour—6.

RECESS.

The roll call showing no quorum present and voting, at four o'clock and fifty-five minutes p. m. the President declared a recess until seven o'clock and thirty minutes p. m.

REASSEMBLED.

At seven o'clock and thirty minutes p. m. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

REPORT OF STANDING COMMITTEE.

ON IRRIGATION AND WATER RIGHTS.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your Committee on Irrigation and Water Rights, to whom was referred Assembly Bill No. 141—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BERRY.
STREETER.
SHIPPEE.
CARPENTER.
LANGFORD.
MARTIN.
CAMPBELL.
ORR.

On motion of Senator Broderick, Assembly messages were taken up.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Assembly Bill No. 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the report of the Conference Committee, and recedes from Assembly Amendment No. 2 to Senate Bill No. 210.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

Senator Ford moved that the Senate concur in the following Assembly amendment to Senate Bill No. 210:

By striking out of section one, line five, the word "fifteen," and inserting in lieu thereof the word "ten."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 210?"

The roll was called, and the amendment concurred in by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Goucher, Harp, Hoyt, McAllister, McGowan, Maher, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, and Wilson—33.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Also: Senate Bill No. 557—An Act for the protection of fish.

Also: Senate Bill No. 358—An Act to regulate the sale of imitation olive oil, and to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Also: Senate Bill No. 105—An Act to prevent the use of false trade descriptions in the sale of goods, and to provide a punishment therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Also: Senate Bill No. 680—An Act to amend section one thousand five hundred and thirty-six, section one thousand five hundred and thirty-seven, section one thousand five hundred and thirty-eight, section one thousand five hundred and forty-two, section one thousand five hundred and forty-three, and section one thousand five hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in the Senate amendments to Committee Substitute for Assembly Bill No. 74—An Act to establish a uniform system of county and township governments.

Also: Concurred in the Senate amendments to Committee Substitute for Assembly Bill No. 596—An Act creating a Commissioner of Public Works, defining his duties and powers, prescribing his compensation, and making an appropriation.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Assembly Bill No. 805 referred to Committee on Finance.

Senate Bills Nos. 351, 557, 358, 105, 719, and 680 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following has been correctly enrolled: Senate Constitutional Amendment No. 23—submitting to the people of the State of California an amendment to the Constitution, amending section one of article twenty of the Constitution of the State of California, relative to changing the seat of government from the city of Sacramento to the city of San José.

RAGSDALE, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

VOORHEIS, Chairman.

RESOLUTION.

By Senator Voorheis:

Resolved, That Assembly Bill No. 805 presents a case of urgency, as that term is used in section fifteen of article four of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill shall be read the first, second, and third times, and placed upon its passage.

The roll was called, and Assembly Bill No. 805 declared a case of urgency by the following vote:

AYES—Messrs. Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 805—An Act to amend sections three thousand seven hundred and thirteen and three thousand six hundred and ninety-six of the Political Code, relating to the levy of taxes.

Read first, second, and third times, and finally passed by the following vote:

AYES—Messrs. Arms, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Ford, Goucher, Harp, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Whitehurst, Williams, and Wilson—33.

NOES—None.

Title read and approved.

MOTION.

Senator Voorheis moved that Assembly Bill No. 805 be immediately transmitted to the Assembly.

So ordered.

REPORT OF COMMITTEE OF FREE CONFERENCE.

To the Senate and Assembly of the State of California:

Your Committees of Free Conference on Senate Bill No. 606—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor—beg leave to report that they have had the same under consideration, recommend the passage of the bill as it passed the Senate, and that the Assembly recede from its amendments.

SEAWELL, Chairman,
MCGOWAN,
BERRY,
Senate Committee of Free Conference.
TINDALL,
DREES,
PUESCHEL,
Assembly Committee of Free Conference.

The roll was called, and the report of the Committee of Free Conference adopted by the following vote:

AYES—Messrs. Arms, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Fay, Flint, Goucher, Harp, Hart, Hoyt, Langford, McAllister, Maher, Mahoney, Martin, Mitchell, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson—33.

NOES—None.

On motion of Senator Seawell, Senate Bill No. 606 was transmitted to the Assembly, with a request that the Assembly recede from their amendments.

Senator McGowan in the chair.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 281—An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders, at Whittier, for the forty-third and forty-fourth fiscal years.

Also: Senate Bill No. 347—An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of the proceeds.

Also: Senate Bill No. 250—An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns.

Also: Senate Bill No. 470—An Act to amend section three hundred and fifty-nine, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof.

Also: Senate Bill No. 607—An Act to provide for furnishing assistants to the Coroner of each city, or city and county having one hundred thousand or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants.

RAGSDALE, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Senate Bill No. 553—An Act to amend section one thousand two hundred and twenty-two of the Code of Civil Procedure of the State of California in relation to judgments in cases of contempt, and providing for appeals therefrom.

Also: Amended, and passed as amended, Senate Bill No. 7—An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation and to define the duties of such Inspectors.

Also: Passed Senate Bill No. 530—An Act to amend section three thousand four hundred and ninety-one of the Political Code, relating to the election of trustees of reclamation districts.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 553 and 530 ordered to enrollment.

ASSEMBLY AMENDMENT CONCURRED IN.

Senator Broderick moved that the Senate concur in the following Assembly amendment to Senate Bill No. 7:

Amend section one, line five of the printed, engrossed copy, by striking therefrom the words "containing one hundred thousand inhabitants."

The question being, "Shall the Senate concur in the foregoing Assembly amendment to Senate Bill No. 7?"

The roll was called, and the Senate rejected the amendment by the following vote:

AYES—Messrs. ARMS, Broderick, Dunn, Everett, Langford, McGowan, Maher, Mahoney, Mitchell, and Ragsdale—10.

NOES—Messrs. Bailey, Biggy, Burke, Campbell, Earl, Fay, Flint, Goucher, Harp, Hart, McAllister, Martin, Orr, Ostrom, Seawell, Seymour, Simpson, Streeter, Whitehurst, and Wilson—20.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the report of the Joint Committee of Free Conference on Senate Bill No. 606, and hereby notifies the Senate that its amendments thereto have been receded from.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 606 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 615—An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Also: Senate Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Also: Senate Bill No. 614—An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, and ordered immediately transmitted to the Senate, Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

GEO. W. PECKHAM, Chief Clerk.
By JOHN T. RYAN, Assistant Clerk.

Senate Bills Nos. 148, 615, 531, 551, 712, 614, and 563 ordered to enrollment.

RESOLUTION.

By Senator Gesford:

Resolved by the Senate, the Assembly concurring. That a committee of three be appointed by the President of the Senate to act with a like committee from the Assembly, to wait upon the Governor and inquire of him if there be any message which the Executive desires to communicate to the Legislature prior to its adjournment *sine die*.

Adopted.

APPOINTMENT OF COMMITTEE.

The Chair appointed as such committee, Senators Berry, Earl, and Simpson.

RECESS.

At ten o'clock and twenty-five minutes P. M., on motion of Senator Voorheis, a recess was declared for half an hour.

REASSEMBLED.

At ten o'clock and fifty-five minutes P. M. the Senate reassembled.

Hon. J. B. Reddick, President of the Senate, in the chair.

The roll was called, and the following Senators answered to their names:

MESSRS. ARMS, Bailey, Berry, Biggy, Broderick, Burke, Campbell, Carpenter, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Goucher, Harp, Hart, Hoyt, Langford, McAllister, McGowan, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Seawell, Seymour, Shippee, Simpson, Streeter, Voorheis, Whitehurst, Williams, and Wilson.

Quorum present.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed and ordered immediately transmitted to the Senate, Senate Joint Resolution No. 26—Joint resolution asking of Congress to cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

Also: Respectfully refused to pass Substitute for Senate Bill No. 13—An Act to create

a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, in cities, and towns, and cities and counties having a population of five thousand inhabitants or over, and to more effectually protect the people against contagious diseases.

Also: Passed Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

GEO. W. PECKHAM, Chief Clerk.

By JOHN T. RYAN, Assistant Clerk.

Senate Bill No. 730 and Senate Joint Resolution No. 26 ordered to enrollment.

REPORT OF STANDING COMMITTEE.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, March 14, 1893.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that the following Senate Bills have been correctly enrolled:

Senate Bill No. 211—An Act to provide for the publication of the State Blue Book, or Roster.

Also: Senate Bill No. 363—An Act to amend section three hundred and ninety-eight of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the transfer of causes where Judge is disqualified.

Also: Senate Bill No. 693—An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees.

Also: Senate Constitutional Amendment No. 20—To propose to the people of the State of California an amendment to the Constitution of the State, amending section one of article four thereof, relative to the Legislative Department.

Also: Senate Bill No. 719—An Act to amend sections seven and nine of an Act entitled "An Act authorizing certain corporations to act as executor and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State.

Also: Senate Bill No. 210—An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California, and to provide a penalty for a violation of the provisions of this Act.

Also: Senate Bill No. 696—An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 148—An Act to appropriate the sum of fifty thousand dollars for the erection, completion, and furnishing of buildings, laundry and bath house, and for improvements of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situate in Napa County, under the auspices of the Veterans' Home Association of the State of California.

Also: Senate Bill No. 563—An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 551—An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 531—An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns.

Also: Senate Bill No. 712—An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board from July 1, 1889, to October 31, 1889, at eighty-seven dollars and fifty cents per month.

Also: Senate Bill No. 759—An Act to amend section four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Senate Bill No. 479—An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates, for the forty-fourth fiscal year.

Also: Senate Bill No. 383—An Act amending sections one thousand one hundred and eighty-three, one thousand one hundred and eighty-four, and one thousand one hundred and eighty-seven of the Code of Civil Procedure of the State of California, as amended March 15, 1887; section one thousand one hundred and ninety-five of the said Code of Civil Procedure, as amended March 18, 1885; and section one thousand one hundred and ninety of said Code of Civil Procedure; all relating to liens of mechanics and others. And also inserting a new section in said Code, to be numbered section one thousand two hundred and three.

Also: Senate Bill No. 204—An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor.

Also: Senate Bill No. 182—An Act to amend section three thousand and nine of the Political Code of the State of California, relating to the appointment of certain officers and employes by the Board of Health of the City and County of San Francisco.

Also: Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State.

Also: Senate Bill No. 729—An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2, of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof.

Also: Senate Bill No. 109—An Act providing for the prevention of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases, and to provide penalties for the violation thereof.

Also: Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having one hundred thousand inhabitants and over that number, providing how such Inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such Inspectors.

Also: Senate Bill No. 196—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof.

Also: Senate Bill No. 105—An Act to prevent the use of false trade descriptions in the sale of goods, and to provide a punishment thereof.

Also: Senate Bill No. 351—An Act to add a new section to the Political Code, to be known and designated as section three thousand four hundred and ninety-three and one half, relating to suits to determine the validity of assessments in reclamation districts.

Also: Senate Bill No. 358—An Act to regulate the sale of imitation olive oil, and to repeal an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891.

Also: Senate Bill No. 557—An Act for the protection of fish.

Also: Senate Bill No. 680—An Act to amend section fifteen hundred and thirty-six, section fifteen hundred and thirty-seven, section fifteen hundred and thirty-eight, section fifteen hundred and forty-two, section fifteen hundred and forty-three, and section fifteen hundred and forty-five of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to estates of deceased persons.

Also: Senate Bill No. 553—An Act to amend section twelve hundred and twenty-two of the Code of Civil Procedure of the State of California, in relation to judgments in cases of contempt, and providing for appeals therefrom.

Also: Senate Bill No. 66—An Act making an appropriation to pay the claim of F. Marion Wells.

Also: Senate Bill No. 381—An Act to amend section six hundred and thirty-six of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game.

Also: Senate Bill No. 757—An Act providing for the removal of human remains from cemeteries in cities having a population of more than five thousand and not exceeding one hundred thousand.

Also: Senate Bill No. 389—An Act to provide for the appointment, duties, and compensation of the Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his official duties as such Commissioner.

Also: Senate Bill No. 286—An Act to amend section one hundred and seventy of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges.

Also: Senate Bill No. 341—An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses for the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States in relation to public lands, for the forty-third fiscal year.

Also: Senate Bill No. 689—An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Senate Bill No. 147—An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof.

Also: Senate Bill No. 438—An Act making it unlawful to refuse admission to places of amusement.

Also: Senate Bill No. 576—An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers.

Also: Senate Bill No. 736—An Act to prevent compulsory prostitution of women, and the importation of Chinese or Japanese women for immoral purposes, and to provide penalties thereof.

Also: Senate Bill No. 199—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885, and the Act amendatory thereof, approved March 7, 1887, and to make an appropriation for the maintenance and preservation of the property of said Board of Forestry.

Also: Senate Bill No. 615—An Act to pay the claim of L. N. Brock against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 730—An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known

as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek.

Also: Senate Joint Resolution No. 26—Asking of Congress to cede to the State of California the island in the bay of San Francisco, known as Yerba Buena, or "Goat Island," to be used by said State solely for general railroad terminal purposes.

RAGSDALE, Chairman.

REPORTS OF SPECIAL COMMITTEES.

The committee appointed to wait on the Governor made verbal report that they had waited upon his Excellency, and he stated that he had no further communications to transmit to the Senate.

FROM THE ASSEMBLY.

A committee from the Assembly appeared and announced that the Assembly had no further communications to send to the Senate.

MOTION.

Senator Carpenter moved that the President appoint a committee of three to wait upon the Assembly, and ascertain if that body had any further business to transact.

So ordered.

The President appointed as such committee, Senators Carpenter, Seawell, and Broderick.

The committee verbally reported that the Assembly was still in session, and would notify the Senate when they are ready to adjourn.

RESOLUTIONS.

By Senator Ford:

Resolved, That H. N. Campbell, Enrolling Clerk, and his assistants, C. A. Fuller, A. W. Johnson, Mrs. A. B. Campbell, Mrs. S. L. Cooper, Miss D. McKinnon, C. N. Ragsdale, and T. D. Maher, be and they are hereby allowed the sum of sixteen (\$16) dollars each, payable out of a Contingent Fund of the Senate, for services rendered in comparing enrolled bills of the Assembly, and the Controller is hereby directed to draw his warrants for the same, and the Treasurer is authorized to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Biggy, Broderick, Burke, Denison, Dunn, Earl, Everett, Fay, Flint, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Mahoney, Martin, Mathews, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, Whitehurst, and Wilson—30.

NOES—None.

By Senator Hart:

Resolved, That the Pages be allowed three dollars each for services rendered this day, the same to be paid out of the Contingent Fund of the Senate, and the Controller is directed to draw warrants in favor of said pages, and the Treasurer is directed to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Denison, Dunn, Earl, Ford, Gesford, Harp, Hart, Hoyt, McAllister, Mahoney, Martin, Mitchell, Orr, Ostrom, Ragsdale, Shippee, Simpson, Streeter, Voorheis, and Whitehurst—21.

NOES—None.

Senator Ford in the chair.

By Senator Maher:

Resolved, That Abbie Atkinson, Postmistress, and Rosa Lee, Assistant Postmistress, be allowed one week's pay each after adjournment of the Senate, payable out of Contingent Fund of the Senate, and the Controller is hereby directed to draw his warrant and the Treasurer to pay the same.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Bailey, Berry, Broderick, Dunn, Flint, Ford, Harp, Hart, Hoyt, McAllister, Maher, Mahoney, Martin, Mathews, Mitchell, Orr, Ragsdale, Simpson, Streeter, Voorheis, and Whitehurst—21.

NOES—None.

Hon. J. B. Reddick, President of the Senate, in the chair.

RESOLUTION—VOTE OF THANKS.

By Senator Denison:

Resolved, That the thanks of this Senate are justly due and are now accorded the Hon. John B. Reddick, Lieutenant-Governor of this State and President of the Senate, for the remarkably able manner in which he dispatched the business before this body, the unbroken impartiality of his rulings, his untiring devotion to the business, and his courteous attention to the members of this Senate.

Resolved further, That these resolutions be adopted by standing vote.

Resolutions unanimously adopted by a rising vote of the Senate.

Hon. R. B. Carpenter, President pro tem. of the Senate, was also given a vote of thanks.

The Secretary of the Senate, the Minute Clerk, and other clerks at the desk were complimented for the efficient manner in which they had discharged their duties in dispatching the business of the Senate.

MESSAGE FROM THE ASSEMBLY.

A committee from the Assembly appeared, and announced that the Assembly was ready to adjourn, and had no further messages to transmit to the Senate.

APPROVAL OF THE JOURNAL.

The minutes (Journal) of this day were then approved.

ADJOURNMENT SINE DIE.

At eleven o'clock and fifty-eight minutes P. M., Senator Carpenter moved that the Senate do now adjourn *sine die*.

Whereupon, in pursuance to concurrent resolution adopted by both houses of the Legislature, the President declared the Senate adjourned *sine die*.

J. B. REDDICK,
President of the Senate.

F. J. BRANDON,
Secretary of the Senate.

RAY G. FALK,
Minute Clerk.

C. S. McMULLAN,
Assistant Minute Clerk.



INDEX.

ORDER OF ARRANGEMENT.

INDEX TO PROCEEDINGS OF THE SENATE.

INDEX TO SENATE BILLS.

INDEX TO SENATE RESOLUTIONS.

INDEX TO SENATE CONSTITUTIONAL AMENDMENTS.

ABBREVIATIONS.—S.B., Senate Bill; A.B., Assembly Bill; S.C.R., Senate Concurrent Resolution; A.C.R., Assembly Concurrent Resolution; S.J.R., Senate Joint Resolution; A.J.R., Assembly Joint Resolution; S.C.A., Senate Constitutional Amendment; A.C.A., Assembly Constitutional Amendment.

INDEX TO PROCEEDINGS OF SENATE.

A

| | PAGE. |
|--|--|
| ADJOURNMENTS..... | 2, 13, 14, 21, 24, 49, 59, 75, 81, 88, 99, 113, 164, 177, 183, 191, 201, 221, 234, 244, 254, 279, 296, 324, 336, 355, 382, 394, 413, 433, 440, 469, 492, 514, 546, 571, 575, 606, 635, 666, 683, 705, 737, 773, 814, 846, 865, 902, 941, 982, 1092, 1065, 1093, 1134, 1161 |
| ANDERSON, WINSLOW. Nominated member State Board of Health..... | 1122 |
| Confirmed..... | 1144 |
| ARMS, C. S. Appeared and qualified..... | 1 |
| Appointed on committees..... | 15, 23, 191 |
| Bills introduced..... | 32, 97, 193, 207, 226, 312, 332, 403, 404 |
| Leave of absence..... | 159, 184, 241, 245, 677, 684, 762, 847, 1082 |
| Resolutions..... | 63, 307, 404, 494, 673, 1064, 1092 |
| AYES AND NOES. On Second Assistant Journal Clerk..... | 5 |
| On temporary rules..... | 10 |
| On mileage and expenses of members..... | 17 |
| On introduction of bills..... | 21 |
| On adjournment..... | 21 |
| On standing rules..... | 23 |
| On distributing duplicate statutes and reports..... | 25 |
| On A.J.R. 2..... | 32 |
| On S.J.R. 3..... | 46 |
| On confirmation of J. M. Elliott..... | 50 |
| On confirmatoin of F. A. Gibson..... | 51 |
| On confirmation of F. W. Lougee..... | 51 |
| On confirmation of W. S. Wood..... | 51 |
| On confirmation of W. C. Murdock..... | 52 |
| On confirmation of H. L. Macneil..... | 52 |
| On confirmation of H. S. Foote..... | 52 |
| On confirmation of A. McDonald..... | 52 |
| On confirmation of M. W. Muller..... | 53 |
| On confirmation of D. E. Hayes..... | 53 |
| On Sergeant-at-Arms to Judiciary Committee..... | 58 |
| On supplying Deering's Codes..... | 58 |
| On report of Committee on Attachés..... | 61 |
| On Porter..... | 64 |
| On Clerk to San Francisco Delegation..... | 65 |
| On A.C.R. 2..... | 66 |
| On employés for Judiciary Committee..... | 70 |
| On amending standing rules..... | 71 |
| On election of Library Trustees..... | 71 |
| On A.C.R. 4..... | 72 |
| On appropriation for rubber stamps, etc..... | 79 |
| On Porter for Judiciary Committee..... | 80 |
| On adjournment..... | 81 |
| On amendment to Substitute for S.J.R. 1 and 2..... | 83 |
| On Substitute for S.J.R. 1 and 2..... | 83 |
| On investigating Feeble-Minded Home..... | 86 |
| On appointing File Clerk..... | 87 |
| On appointing Porter..... | 87 |
| On Second Assistant Engrossing Clerk..... | 92 |
| On S.J.R. 11..... | 95 |
| On reference of A.B. 10..... | 100 |
| On A.C.R. 8..... | 100 |
| On call of the House during joint session..... | 110 |
| On S.B. 134, case of urgency..... | 114 |
| On S.B. 134..... | 114 |
| On S.B. 24, case of urgency..... | 114 |
| On S.B. 17, case of urgency..... | 115 |
| On S.B. 17..... | 115 |
| On S.C.R. 2..... | 158 |
| On amendment to A.B. 10..... | 159 |

| | PAGE. |
|---|----------|
| AYES AND NOES. ON S.J.R. 5..... | 161 |
| On S.J.R. 10..... | 162 |
| On furnishing stationery to Lieutenant-Governor..... | 171 |
| On furnishing Constitutional Debates..... | 171 |
| On investigating Home for Adult Blind..... | 173 |
| On S.J.R. 4..... | 174 |
| On amendment to S.J.R. 8..... | 175 |
| On S.J.R. 8..... | 176 |
| On S.J.R. 9..... | 176 |
| On S.B. 24..... | 181 |
| On adjournment..... | 183 |
| On stenographer for Committee on Corporations..... | 194 |
| On stenographer for Committee on Constitutional Amendments..... | 195 |
| On S.B. 132..... | 195 |
| On S.B. 42..... | 195 |
| On S.B. 9..... | 196 |
| On S.B. 47..... | 196 |
| On S.B. 11..... | 196 |
| On S.B. 20..... | 197 |
| On S.B. 8..... | 197 |
| On S.J.R. 12..... | 198 |
| On amendments to S.J.R. 1 and 2..... | 211 |
| On A.C.A. 8..... | 214 |
| On S.B. 206..... | 214 |
| On S.B. 200..... | 215 |
| On S.B. 1..... | 216 |
| On payment of J. Cummings, porter..... | 217 |
| On S.C.R. 14..... | 221 |
| On attachés..... | 236, 237 |
| On furnishing Codes and Constitution to members..... | 238 |
| On employing stenographer for Committee on Constitutional Amendments..... | 243 |
| On S.B. 214..... | 243 |
| On S.B. 174..... | 244 |
| On S.B. 455..... | 247 |
| On S.B. 182..... | 255 |
| On S.B. 218..... | 256 |
| On S.B. 279..... | 258 |
| On S.B. 114..... | 258 |
| On S.B. 219..... | 259 |
| On A.C.R. 10..... | 261 |
| On S.J.R. 17..... | 262 |
| On S.B. 62..... | 263 |
| On S.J.R. 16..... | 268 |
| On S.J.R. 18..... | 269 |
| On attachés—Second Assistant Enrolling Clerk..... | 269 |
| On mileage to Committee on Public Buildings..... | 270 |
| On attachés—Clerk for Committee..... | 270 |
| On attachés—Page and Usher..... | 271 |
| On S.B. 72..... | 279 |
| On S.B. 199..... | 279 |
| On urgency of S.B. 49..... | 280 |
| On S.B. 49..... | 281 |
| On A.B. 553..... | 282 |
| On appointment of History Clerk..... | 282 |
| On S.B. 22..... | 289 |
| On S.B. 393..... | 289 |
| On urgency of S.B. 384..... | 290 |
| On S.B. 177..... | 292 |
| On S.B. 113..... | 293 |
| On S.B. 6..... | 293 |
| On S.B. 35..... | 294 |
| On S.B. 267..... | 294 |
| On S.B. 346..... | 295 |
| On S.B. 210..... | 295 |
| On suspension of rules..... | 299 |
| On S.B. 274..... | 301 |
| On S.B. 384..... | 302 |
| On report of committee on S.B. 36..... | 302 |
| On suspension of rules..... | 303 |
| On S.J.R. 15..... | 303 |
| On A.B. 587..... | 304 |
| On suspending rules..... | 305 |
| On A.C.R. 7..... | 306 |
| On reference of motion..... | 306 |

| | PAGE. |
|---|---------------|
| AYES AND NOES. On visit of committee to San Diego..... | 307 |
| On S.J.R. 20..... | 307 |
| On reconsideration of S.B. 210..... | 307 |
| On appointment of Assistant Enrolling Clerk..... | 311 |
| On suspending rules..... | 319 |
| On confirming nomination of M. R. Higgins as Insurance Commissioner..... | 325 |
| On S.B. 93..... | 326 |
| On Substitute for S.B. 302..... | 327 |
| On resolution to appoint Miss D. McKinnon, Assistant Enrolling Clerk..... | 340 |
| On resolution to appoint Mrs. Sadie L. Cooper, Assistant Enrolling Clerk..... | 341 |
| On S.B. 125..... | 343 |
| On amendment to S.B. 186..... | 350 |
| On S.C.R. 5..... | 355 |
| On S.B. 36..... | 362 |
| On urgency of S.B. 122..... | 363 |
| On suspension of rules..... | 363 |
| On permitting Earl to introduce resolution..... | 364 |
| On printing testimony taken under S.C.A. 8..... | 364 |
| On S.B. 72..... | 365 |
| On S.B. 207..... | 365 |
| On S.B. 384..... | 365 |
| On S.B. 160..... | 366 |
| On S.B. 212..... | 366 |
| On S.B. 250..... | 367 |
| On suspension of Rule 7..... | 367 |
| On S.B. 131..... | 368 |
| On Governor's nominations..... | 368-374 |
| On striking out enacting clause of S.B. 293..... | 376 |
| On adjournment..... | 378, 379, 382 |
| On reconsideration of S.B. 207..... | 383 |
| On S.B. 569..... | 384 |
| On urgency of S.B. 50..... | 384, 385 |
| On S.B. 198..... | 387 |
| On amendment to S.B. 50..... | 387 |
| On S.B. 50..... | 388 |
| On S.B. 573..... | 389 |
| On A.B. 50..... | 390 |
| On Substitute for S.B. 137..... | 391 |
| On S.B. 221..... | 392 |
| On S.B. 538..... | 393 |
| On adjournment..... | 393 |
| On S.B. 28..... | 393 |
| On S.B. 122..... | 395 |
| On S.C.A. 14..... | 399 |
| On pay of mileage, etc..... | 401 |
| On expense of telegraphing S.J.R. 16..... | 404 |
| On visit of committees..... | 404 |
| On Dr. Martin visiting San Bernardino Asylum..... | 405 |
| On suspension of rules..... | 406 |
| On reconsideration of S.B. 250..... | 406 |
| On recommitting S.B. 250..... | 407 |
| On reconsideration of S.B. 569..... | 407 |
| On S.B. 569..... | 407 |
| On Substitute for S.B. 29, 30, 32, 53, 54, 57, 58, and 140..... | 408 |
| On suspension of rules..... | 409 |
| On S.B. 74..... | 409 |
| On S.B. 229..... | 410 |
| On payment of expense of committees..... | 415 |
| On payment of telegraphing S.J.R. 18..... | 419 |
| On striking out Rule 8½..... | 419 |
| On S.B. 314..... | 420 |
| On S.B. 5..... | 420 |
| On reconsideration of Substitute for S.B. 32 et al..... | 423 |
| On passage of Substitute for S.B. 32 et al..... | 423 |
| On S.B. 166..... | 434 |
| On S.B. 229..... | 435 |
| On S.B. 382..... | 436 |
| On S.B. 103..... | 436 |
| On S.B. 278..... | 436 |
| On S.B. 215..... | 436 |
| On S.B. 217..... | 436 |
| On S.B. 184..... | 437 |
| On S.B. 209..... | 437 |
| On amendment to Substitute for S.B. 157 et al..... | 439 |

| | PAGE. |
|--|----------|
| AYES AND NOES. On S.B. 19 | 576 |
| On amendments to Substitute for S.B. 291, 183, and 123 | 583 |
| On amendments to S.B. 177 | 590 |
| On amendments to S.B. 132 | 590 |
| On A.B. 60 | 592 |
| On introduction of bills | 594 |
| On changing rules | 598 |
| On S.B. 445 | 600 |
| On S.B. 40 | 600 |
| On reconsideration of S.B. 323 | 607 |
| On S.B. 283 | 612 |
| On S.B. 281 | 612 |
| On S.B. 603 | 613 |
| On S.B. 205 | 613 |
| On S.B. 602 | 613 |
| On A.B. 635 | 614 |
| On S.B. 492 | 614 |
| On Substitute for S.B. 232 | 614 |
| On S.B. 204 | 614 |
| On S.B. 201 | 614 |
| On S.B. 96 | 615 |
| On S.B. 320 | 615 |
| On S.B. 202 | 615 |
| On S.B. 107 | 615 |
| On S.B. 479 | 615 |
| On S.B. 480 | 616 |
| On Substitute for S.B. 239 | 616 |
| On Substitute for S.B. 231 | 616 |
| On S.B. 309 | 616 |
| On S.B. 224 | 616 |
| On introduction of bills | 618 |
| On A.B. 627 | 619 |
| On A.B. 126 | 619 |
| On A.B. 1 | 619 |
| On A.B. 146 | 619 |
| On A.B. 500 | 620 |
| On A.B. 128 | 620 |
| On A.B. 459 | 620 |
| On A.B. 460 | 620 |
| On A.B. 281 | 621 |
| On A.B. 282 | 621 |
| On A.B. 634 | 621 |
| On A.B. 100 | 621 |
| On A.B. 287 | 621 |
| On A.B. 241 | 622 |
| On A.B. 186 | 622 |
| On A.B. 270 | 622 |
| On A.B. 31 | 623 |
| On A.B. 195 | 623 |
| On A.B. 797 | 624 |
| On amendments to A.B. 144 | 652 |
| On A.B. 21 | 652 |
| On A.C.R. 14 | 653 |
| On Substitute for A.B. 10 | 654 |
| On amendments to A.B. 10 | 655 |
| On recess | 655 |
| On recommendations of Committee on Attachés | 659, 660 |
| On S.B. 254 | 660 |
| On S.B. 359 | 661 |
| On S.B. 547 | 661 |
| On S.B. 555 | 662 |
| On S.B. 75 | 662 |
| On Committee on Commerce visiting San Francisco | 665 |
| On Substitute for S.B. 291, 183, and 123 | 668 |
| On S.B. 138 | 669 |
| On report of Committee on Attachés | 671 |
| On suspension of rules | 671 |
| On S.J.R. 25 | 672 |
| On S.B. 635 | 673 |
| On Substitute for S.B. 157, 372, 373, and 441 | 674 |
| On S.B. 211 | 675 |
| On making S.B. 173, 304, and 175 special orders | 676 |
| On Substitute for A.B. 144 | 680 |
| On A.B. 427 | 680 |

| | PAGE. |
|--|----------|
| AYES AND NOES. On A.B. 84..... | 681 |
| On A.J.R. 7..... | 683 |
| On A.B. 426..... | 685 |
| On A.B. 71..... | 685 |
| On A.B. 227..... | 685 |
| On A.B. 69..... | 686 |
| On A.B. 112..... | 686 |
| On A.J.R. 7..... | 686 |
| On A.J.R. 9..... | 687 |
| On A.J.R. 10..... | 687 |
| On A.J.R. 11..... | 687 |
| On A.J.R. 19..... | 687 |
| On A.J.R. 17..... | 688 |
| On A.J.R. 8..... | 688 |
| On amendment to rules..... | 689 |
| On reconsideration of S.B. 635..... | 689 |
| On A.C.R. 7..... | 691 |
| On report of Committee on Attachés, etc..... | 695 |
| On introduction of S.B. 776..... | 695 |
| On S.B. 332..... | 697 |
| On S.B. 363..... | 697 |
| On S.B. 165..... | 698 |
| On S.B. 354..... | 698 |
| On S.B. 342..... | 698 |
| On S.B. 463..... | 699 |
| On S.B. 405..... | 699 |
| On S.B. 109..... | 699 |
| On S.B. 438..... | 699 |
| On S.B. 286..... | 700 |
| On S.B. 287..... | 700 |
| On S.B. 669..... | 700 |
| On urgency of S.B. 38..... | 701 |
| On amendments to S.B. 382..... | 702 |
| On Substitute for S.B. 233..... | 708 |
| On A.B. 688..... | 708 |
| On S.B. 507..... | 709 |
| On S.B. 506..... | 709 |
| On urgency of S.B. 774..... | 710 |
| On S.B. 774..... | 711 |
| On introduction of S.B. 778..... | 714 |
| On call of the Senate..... | 716 |
| On amendments to Substitute for A.B. 10..... | 716, 717 |
| On A.B. 36..... | 717 |
| On A.B. 37..... | 717 |
| On A.B. 113..... | 718 |
| On A.B. 212..... | 718 |
| On A.B. 214..... | 719 |
| On A.B. 720..... | 721 |
| On Substitute for A.C.A. 7..... | 723 |
| On change in rules..... | 723 |
| On S.B. 331..... | 729 |
| On S.B. 230..... | 729 |
| On S.B. 428..... | 729 |
| On S.B. 430..... | 729 |
| On S.B. 429..... | 730 |
| On S.B. 115..... | 730 |
| On S.B. 351..... | 730 |
| On S.B. 64..... | 731 |
| On payment of expenses of Blaine Memorial..... | 736 |
| On report of Committee on Attachés..... | 737 |
| On A.J.R. 26..... | 738 |
| On reconsideration of S.B. 625..... | 739 |
| On S.B. 4..... | 740 |
| On S.B. 741..... | 741 |
| On S.B. 732..... | 741 |
| On S.B. 705..... | 741 |
| On S.B. 601..... | 741 |
| On S.B. 658..... | 741 |
| On S.B. 742..... | 742 |
| On S.B. 743..... | 742 |
| On S.B. 722..... | 742 |
| On A.B. 737..... | 743 |
| On S.C.R. 7..... | 743 |
| On S.B. 778..... | 744 |

| | PAGE. |
|--|-------|
| AYES AND NOES. On S.B. 656 | 747 |
| On introduction of S.B. 779 | 754 |
| On striking out enacting clause of A.B. 82 | 757 |
| On striking out enacting clause of A.B. 83 | 758 |
| On A.C.A. 12 | 758 |
| On amendments to A.B. 403 | 759 |
| On urgency of Assembly bills | 760 |
| On Substitute for S.B. 434 | 762 |
| On amendment to S.B. 141 | 763 |
| On S.B. 686 | 763 |
| On A.B. 90 | 764 |
| On Substitute for S.B. 35 | 765 |
| On S.B. 390 | 765 |
| On withdrawal of S.B. 207 | 766 |
| On S.B. 689 | 768 |
| On S.B. 38 | 768 |
| On S.B. 504 | 768 |
| On S.B. 671 | 768 |
| On S.B. 470 | 768 |
| On S.B. 358 | 768 |
| On reference of S.B. 33 | 770 |
| On amendment to S.B. 652 | 771 |
| On reference of Mooser claim | 772 |
| On call of the Senate | 772 |
| On adjournment | 773 |
| On reconsideration of A.C.R. 7 | 774 |
| On S.B. 627 | 776 |
| On S.B. 347 | 776 |
| On S.C.A. 15 | 779 |
| On S.C.A. 17 | 780 |
| On S.C.A. 6 | 780 |
| On S.C.A. 10 | 781 |
| On S.C.A. 11 | 782 |
| On A.B. 265 | 789 |
| On A.B. 185 | 789 |
| On amendments to A.B. 2 | 790 |
| On A.B. 2 | 790 |
| On A.B. 138 | 790 |
| On A.B. 276 | 791 |
| On A.B. 469 | 791 |
| On urgency of S.B. 607 | 792 |
| On introduction of S.B. 780 | 792 |
| On non-reference of S.B. 780 | 793 |
| On A.B. 208 | 793 |
| On A.B. 556 | 793 |
| On A.B. 30 | 794 |
| On S.B. 530 | 795 |
| On reconsideration of Substitute for S.B. 434 | 800 |
| On amendment to Substitute for S.B. 434 | 800 |
| On S.B. 60 | 801 |
| On S.B. 284 | 801 |
| On S.B. 631 | 802 |
| On appeal from decision of Chair | 803 |
| On S.B. 377 | 803 |
| On S.C.R. 7 | 811 |
| On urgency of A.B. 848 and 849 | 812 |
| On A.B. 848 | 812 |
| On A.B. 849 | 813 |
| On call of the Senate | 813 |
| On appeal from decision of Chair | 814 |
| On re-reference of S.B. 576 | 817 |
| On S.B. 576 | 817 |
| On S.C.A. 1 | 818 |
| On call of the Senate | 820 |
| On S.C.A. 5 | 820 |
| On Substitute for S.B. 291, 183, and 123 | 821 |
| On appointment of C. Clark, Assistant Secretary | 823 |
| On amendment to A.B. 10 | 824 |
| On A.B. 114 | 824 |
| On passing A.B. 138 on file | 825 |
| On A.B. 296 | 826 |
| On A.C.R. 18 | 828 |
| On introduction of S.B. 781 | 831 |
| On resolution requiring California World's Fair Commission to make a financial statement | 832 |

| | PAGE. |
|--|-------|
| AYES AND NOES. On A.B. 734..... | 832 |
| On S.B. 730..... | 833 |
| On S.B. 156..... | 833 |
| On A.B. 700..... | 833 |
| On S.B. 381..... | 834 |
| On S.B. 624..... | 834 |
| On S.B. 604..... | 834 |
| On S.B. 193..... | 835 |
| On S.B. 138..... | 836 |
| On S.B. 168..... | 837 |
| On S.B. 175..... | 837 |
| On S.C.R. 9..... | 844 |
| On S.B. 22..... | 849 |
| On S.B. 539..... | 849 |
| On S.B. 67..... | 850 |
| On S.B. 403..... | 850 |
| On S.B. 404..... | 850 |
| On S.B. 673..... | 851 |
| On S.C.A. 18..... | 853 |
| On S.J.R. 24..... | 857 |
| On urgency of S.B. 775 and 776..... | 858 |
| On S.B. 775..... | 858 |
| On S.B. 776..... | 858 |
| On reconsideration of S.B. 323..... | 859 |
| On amendments to S.B. 323..... | 861 |
| On consideration of Substitute for A.B. 10..... | 862 |
| On call of the Senate..... | 862 |
| On amendment to A.B. 10..... | 863 |
| On A.B. 10..... | 864 |
| On adjournment..... | 865 |
| On A.B. 117..... | 867 |
| On striking out enacting clause of A.B. 143..... | 872 |
| On S.B. 607..... | 875 |
| On S.B. 661..... | 875 |
| On S.B. 655..... | 876 |
| On S.B. 714..... | 877 |
| On S.B. 729..... | 877 |
| On S.B. 334..... | 878 |
| On S.B. 719..... | 882 |
| On S.B. 457..... | 883 |
| On S.B. 468..... | 883 |
| On S.B. 102..... | 885 |
| On S.C.R. 11..... | 894 |
| On S.B. 296..... | 894 |
| On S.B. 552..... | 895 |
| On S.B. 563..... | 895 |
| On S.B. 614..... | 895 |
| On S.B. 551..... | 895 |
| On S.B. 531..... | 895 |
| On S.B. 615..... | 895 |
| On striking out enacting clause of S.B. 173..... | 896 |
| On adjournment..... | 896 |
| On reconsideration of A.J.R. 8..... | 903 |
| On S.B. 27..... | 905 |
| On S.B. 13..... | 905 |
| On S.C.A. 7..... | 906 |
| On amendment to S.B. 338..... | 907 |
| On S.C.A. 20..... | 909 |
| On S.C.A. 21..... | 909 |
| On S.C.R. 10..... | 910 |
| On introduction of S.B. 782..... | 914 |
| On urgency of S.B. 782..... | 915 |
| On A.B. 138..... | 915 |
| On amendments to S.B. 641..... | 916 |
| On amendments to S.B. 229..... | 916 |
| On restoring S.B. 207 to the file..... | 917 |
| On A.B. 402..... | 918 |
| On A.B. 403..... | 918 |
| On A.B. 277..... | 919 |
| On A.B. 193..... | 919 |
| On A.B. 477..... | 920 |
| On A.B. 543..... | 920 |
| On A.B. 847..... | 920 |
| On A.B. 654..... | 920 |

| | PAGE. |
|--|-------|
| AYES AND NOES. On A.B. 788..... | 921 |
| On call of the Senate..... | 921 |
| On adjournment..... | 921 |
| On A.B. 18..... | 922 |
| On A.B. 307..... | 926 |
| On A.B. 674..... | 926 |
| On A.B. 416..... | 927 |
| On A.B. 839..... | 927 |
| On A.B. 245..... | 927 |
| On S.B. 369..... | 928 |
| On S.B. 44..... | 932 |
| On S.B. 43..... | 932 |
| On S.B. 147..... | 932 |
| On S.B. 598..... | 933 |
| On urgency of S.B. 65..... | 938 |
| On adjournment..... | 938 |
| On reconsideration of special order for S.J.R. 26..... | 938 |
| On special order for S.B. 377..... | 942 |
| On reconsideration of A.B. 18..... | 943 |
| On Luke Kavanagh's bill as attaché..... | 954 |
| On discharging certain attachés..... | 954 |
| On amendment to A.B. 666..... | 955 |
| On amendment to A.B. 365..... | 957 |
| On A.B. 365..... | 957 |
| On A.C.A. 29..... | 958 |
| On A.B. 284..... | 959 |
| On A.J.R. 4..... | 961 |
| On S.B. 141..... | 963 |
| On urgency of S.B. 418..... | 963 |
| On urgency of S.B. 553..... | 963 |
| On S.B. 292..... | 964 |
| On S.B. 759..... | 964 |
| On S.B. 606..... | 964 |
| On S.B. 748..... | 965 |
| On S.B. 782..... | 965 |
| On amendment to S.B. 22..... | 965 |
| On introduction of S.B. 783 and 784..... | 968 |
| On S.B. 104..... | 970 |
| On S.B. 328..... | 970 |
| On striking out enacting clause of S.B. 482..... | 974 |
| On reconsideration of S.C.A. 5..... | 983 |
| On S.J.R. 26..... | 983 |
| On reconsideration of S.B. 138..... | 984 |
| On S.B. 138..... | 984 |
| On S.B. 783..... | 985 |
| On S.B. 784..... | 985 |
| On A.B. 20..... | 987 |
| On S.B. 491..... | 988 |
| On S.B. 662..... | 989 |
| On S.B. 341..... | 989 |
| On S.B. 781..... | 989 |
| On S.B. 56..... | 990 |
| On Substitute for A.B. 16, 57, 129, 157, 176, 524, 667, and 730..... | 992 |
| On reconsideration of A.B. 284..... | 993 |
| On reconsideration of S.B. 759..... | 997 |
| On A.B. 305..... | 999 |
| On A.B. 244..... | 999 |
| On A.B. 298..... | 1000 |
| On A.B. 235..... | 1000 |
| On urgency of A.B. 853..... | 1000 |
| On A.B. 853..... | 1001 |
| On A.B. 85..... | 1001 |
| On A.B. 368..... | 1002 |
| On A.B. 691..... | 1002 |
| On striking out enacting clause of A.B. 774..... | 1003 |
| On A.B. 188..... | 1003 |
| On payment of Mooser claim..... | 1006 |
| On mileage of Sub-Committee on Commerce..... | 1006 |
| On expenses of Committee on Public Buildings..... | 1007 |
| On omnibus urgency resolution..... | 1008 |
| On S.B. 557..... | 1008 |
| On S.B. 757..... | 1009 |
| On adjournment..... | 1009 |
| On S.B. 701..... | 1010 |

| | PAGE. |
|---|------------------------|
| AYES AND NOES. On S.B. 467 | 1010 |
| On S.B. 487 | 1010 |
| On S.B. 644 | 1010 |
| On S.B. 543 | 1011 |
| On S.B. 128 | 1011 |
| On S.B. 453 | 1012 |
| On reconsideration of S.B. 369 | 1013 |
| On amendment to S.B. 759 | 1014 |
| On S.B. 396 | 1014 |
| On introduction of S.C.R. 12 | 1015 |
| On special order for A.B. 239 | 1016 |
| On Substitute for S.B. 10 et al., in re County and Township Government | 1016 |
| On reconsideration of S.B. 133 | 1020 |
| On reconsideration of S.B. 75 | 1021 |
| On resolution of inquiry into contracts by Attorney-General and State Controller for collection of delinquent taxes | 1021 |
| On change of rules | 1022, 1023 |
| On amendment to A.C.A. 14 | 1026 |
| On amendment to S.B. 166 | 1028 |
| On reconsideration of A.B. 396 | 1029 |
| On making W. H. Rice attaché | 1029 |
| On report of Committee on Attachés, providing for work after adjournment by Minute Clerk and Assistant | 1030 |
| By Journal Clerk and Assistant | 1031 |
| On payment of expenses investigation of Railroad Commissioners | 1031 |
| On A.B. 264 | 1033 |
| On A.B. 354 | 1033 |
| On A.B. 777 | 1032 |
| On A.B. 550 | 1034 |
| On A.C.A. 4 | 1041 |
| On A.B. 512 | 1043 |
| On special order for A.B. 666 | 1043 |
| On urgency of thirty-three different bills | 1044 |
| On S.B. 433 | 1045 |
| On S.B. 796 | 1045 |
| On S.B. 484 | 1046 |
| On A.B. 693 | 1046 |
| On withdrawal of S.B. 323 | 1049 |
| On S.B. 343 | 1049 |
| On S.C.R. 12 | 1057 |
| On S.B. 66 | 1057 |
| On amendment to S.B. 388 | 1058 |
| On amendment to S.B. 368 | 1058 |
| On S.B. 693 | 1058 |
| On Substitute for S.B. 731 | 1059 |
| On S.B. 182 | 1060 |
| On S.B. 646 | 1060 |
| On amendment to A.B. 666 | 1061 |
| On A.B. 696 | 1061 |
| On reconsideration of S.B. 536 | 1062 |
| On appeal from decision of the Chair | 1063 |
| On suspension of rules | 1069 |
| On S.C.A. 2 | 1070 |
| On S.B. 70 | 1070 |
| On S.B. 173 | 1070 |
| On S.B. 532 | 1072 |
| On S.B. 723 | 1072 |
| On report of Committee on Attachés | 1073 |
| On reconsideration of A.B. 512 | 1074 |
| On A.B. 239 | 1075 |
| On S.B. 759 | 1076 |
| On urgency of A.B. 757, 758, and 759 | 1076 |
| On A.B. 758 | 1077 |
| On A.B. 759 | 1077 |
| On introduction of S.B. 785 | 1077 |
| On amendments to A.B. 796 | 1078, 1079, 1080, 1081 |
| On introduction of S.B. 786 | 1086 |
| On amendments to S.B. 219 | 1087 |
| On amendments to S.B. 479 | 1087 |
| On urgency of A.B. 762, 191, 810, 727, 850, and 742 | 1087 |
| On A.B. 727 | 1088 |
| On S.B. 780 | 1088 |
| On S.B. 388 | 1089 |
| On suspension of rules | 1089 |

| | PAGE. |
|--|------------------------|
| AYES AND NOES. On special order for A.B. 67 | 1090 |
| On S.B. 680 | 1090 |
| On A.B. 810 | 1090 |
| On amendment to A.B. 596 | 1091 |
| On A.B. 772 | 1092 |
| On introduction of S.C.A. 23 | 1093 |
| On S.C.A. 23 | 1093 |
| On change of votes on S.C.A. 23 | 1094 |
| On Substitute for S.B. 162 | 1094 |
| On A.B. 796 | 1095 |
| On A.B. 506 | 1096 |
| On amendments to S.B. 281 | 1097 |
| On A.B. 191 | 1097 |
| On urgency of A.B. 242, 729, and 604 | 1104 |
| On A.B. 242 | 1104 |
| On A.B. 729 | 1104 |
| On A.B. 604 | 1104 |
| On urgency of A.B. 696 and 856 | 1105 |
| On urgency of A.B. 852 | 1105 |
| On A.B. 696 | 1106 |
| On A.B. 856 | 1106 |
| On A.B. 852 | 1106 |
| On S.B. 333 | 1107 |
| On S.B. 712 | 1107 |
| On A.B. 349 | 1109 |
| On amendment to S.B. 74 | 1109 |
| On amendment to S.B. 383 | 1110 |
| On urgency of A.B. 139 | 1110 |
| On A.B. 139 | 1111 |
| On A.B. 81 | 1111 |
| On A.B. 85 | 1112 |
| On A.B. 774 | 1113 |
| On A.B. 724 | 1113 |
| On urgency of A.B. 747 | 1113 |
| On A.B. 747 | 1114 |
| On introduction of S.C.A. 24 | 1115 |
| On S.C.A. 24 | 1115 |
| On A.B. 596 | 1116 |
| On S.B. 728 | 1117 |
| On amendments to Substitute for A.B. 10 | 1119 |
| On amendments to S.B. 199 | 1121 |
| On Substitute for A.B. 449 | 1123 |
| On A.B. 762 | 1124 |
| On S.J.R. 27 | 1124 |
| On A.B. 854 | 1125 |
| On urgency of Substitute for A.B. 74 | 1125 |
| On A.B. 611 | 1131 |
| On payment of T. H. Simpson, mailing clerk | 1131 |
| On reports of Committee on Attachés | 1131, 1132, 1133, 1134 |
| On A.B. 67 | 1136 |
| On S.B. 777 | 1136 |
| On S.B. 121 | 1137 |
| On A.B. 540 | 1137 |
| On A.B. 66 | 1138 |
| On A.B. 742 | 1138 |
| On S.B. 697 | 1138 |
| On S.C.R. 13 | 1138 |
| On urgency of A.B. 219, 585, 850, and 108; S.B. 786 and 251 | 1139 |
| On A.B. 219 | 1139 |
| On A.B. 585 | 1139 |
| On A.B. 850 | 1139 |
| On S.B. 786 | 1140 |
| On S.B. 251 | 1140 |
| On A.B. 108 | 1140 |
| On A.B. 272 | 1142 |
| On A.B. 513 | 1142 |
| On confirmation of J. H. Davisson, member of State Board of Health | 1142 |
| On confirmation of Winslow Anderson, member of State Board of Health | 1144 |
| On confirmation of C. W. Pauly and D. C. Reed, Harbor Commissioners for the Bay of San Diego | 1143 |
| On A.B. 393 | 1144 |
| On A.C.A. 31 | 1146 |
| On S.B. 148 | 1146 |
| On A.B. 596 | 1147 |

| | PAGE. |
|--|-------|
| AYES AND NOES. On A.B. 313 | 1147 |
| On Substitute for A.B. 74 | 1148 |
| On A.B. 857 | 1149 |
| On amendments to S.B. 606 | 1150 |
| On amendments to S.B. 438 | 1151 |
| On A.B. 53 | 1151 |
| On S.B. 282 | 1152 |
| On urgency of A.B. 141 | 1152 |
| On urgency of A.B. 578 | 1152 |
| On amendments to S.B. 210 | 1153 |
| On urgency of A.B. 850 | 1154 |
| On Conference Committee Report on S.B. 606 | 1155 |
| On amendment to S.B. 7 | 1156 |
| On payment of attachés | 1160 |

B

| | |
|--|--|
| BAILEY, W. C. Appointed on committees | 23, 24 |
| Bills introduced | 32, 73, 77, 117 |
| Leave of absence | 181, 414, 612 |
| Resolutions | 6, 494 |
| BERRY, G. S. Appointed on committees | 23, 24, 1157 |
| Bills introduced | 63, 120, 241, 278, 597 |
| Petitions | 821 |
| Resolutions | 71, 494, 515, 928 |
| BIGGY, W. J. Appeared and qualified | 1 |
| Appointed on committees | 23, 24, 377 |
| Bills introduced | 32, 167, 186, 241, 312, 447 |
| Leave of absence | 181, 320, 682, 684, 933, 1075 |
| Protest | 1064 |
| Resolutions | 221 |
| BRODERICK, J. T. Appointed on committees | 15, 23, 191, 1160 |
| Bills introduced | 32, 33, 57, 118, 186, 209, 241, 251, 226, 277, 447, 448, 596 |
| Leave of absence | 82, 414, 440 |
| Petitions | 576 |
| Resolutions | 15, 47, 64, 79, 92, 244, 355, 390, 656, 873, 939 |
| BROWN, J. B. Nominated Brigadier-General | 352 |
| Confirmed | 368 |
| BURKE, BART. Appeared and qualified | 1 |
| Appointed on committees | 23, 24 |
| Bills introduced | 33, 56, 63, 121, 170, 332, 492 |
| Leave of absence | 550, 572, 931, 1114 |
| Petitions | 488 |
| Resolutions | 466, 495, 979, 1131 |

C

| | |
|---|--|
| CAMPBELL, R. H. Appointed on committees | 23, 24 |
| Bills introduced | 33, 72, 85, 97, 180, 210, 403, 516 |
| Leave of absence | 118, 280, 847 |
| Petitions | 297, 328, 821, 871 |
| Resolutions | 14, 71, 79, 81, 113, 304, 466, 496 |
| CARPENTER, R. B. Appointed on committees | 23, 1160 |
| Bills introduced | 33, 34, 62, 80, 91, 97, 98, 119, 226, 240, 243, 424, 553, 555, 594, 596, 597 |
| Leave of absence | 296, 341, 356, 383, 395, 414, 434, 440, 493, 612, 739, 1075 |
| President pro tem. | 3, 10, 13 |
| Resolutions | 7, 92, 115, 194, 464, 551, 598, 1096 |
| CHARTERS. Grass Valley | 894 |
| Napa City | 1057 |
| Sacramento | 158 |
| CLUNESS, W. R. Nominated member State Board of Health | 354 |
| Confirmed | 374 |
| COCHRAN, W. G. Nominated member State Board of Health | 354 |
| Confirmed | 373 |
| COLE, DAN. T. Nominated Harbor Commissioner | 353 |
| Confirmed | 370 |
| COMMITTEES, SPECIAL. On investigation of Home for Adult Blind | 72, 188 |
| On notification of Senator White | 112 |
| On investigation of Pilot Commissioners | 191 |
| On death of E. B. Price | 276, 421 |
| On Substitute for S.B. 29, 30, 32, 53, 54, 57, 58, and 140 | 327 |
| On Whittier Reform School | 377, 641 |
| On death of J. G. Blaine | 244, 465, 644, 690, 691, 873 |
| On investigation of Railroad Commissioners | 506, 525, 581 |

| | |
|--|---|
| COMMITTEES, STANDING. Agriculture, Horticulture, Viniculture, and Viticulture..... | 22, 46, 103, 165, 179, 206, 238, 298, 341, 610, 694, 749, 786, 940 |
| Attachés, Contingent Expenses, and Mileage..... | 15, 17, 18, 22, 60, 61, 79, 217, 236, 238, 282, 311, 340, 400, 414, 523, 524, 577, 639, 660, 671, 694, 736, 736 7, 750, 823, 872, 953, 954, 1004, 1005, 1006, 1029, 1030, 1073, 1074, 1131, 1132 |
| Banks and Banking..... | 22, 206, 311, 475, 822, 844, 912 |
| City, City and County, and Town Governments..... | 22, 102, 165, 193, 206, 212, 226, 236, 297, 310, 398, 518, 579, 656, 692, 735, 749, 821, 939, 1105 |
| Claims..... | 22, 205, 223, 233, 246, 283, 338, 402, 415, 441, 474, 552, 609, 704, 845, 1063 |
| Commerce and Navigation..... | 22, 283, 310, 474 |
| Constitutional Amendments..... | 22, 196, 206, 398, 400, 518, 545, 555, 608, 690, 692, 822, 939 |
| Corporations..... | 22, 164, 246, 461, 475, 547, 552, 577, 579, 938 |
| Counties and County Boundaries..... | 22, 235, 282, 314, 337, 377, 417, 472, 518 |
| County Government and Township Organization..... | 22, 234, 580, 845, 912 |
| Education and Public Morals..... | 22, 165, 243, 251, 299, 329, 361, 379, 474, 520, 541, 579, 611, 693 |
| Elections..... | 22, 359, 521, 579, 674, 911, 987, 1118, 1137 |
| Enrolled and Engrossed Bills..... | 22, 87, 168, 173, 181, 186, 195, 211, 222, 238, 274, 292, 308, 323, 329, 346, 352, 366, 385, 388, 391, 412, 419, 433, 437, 454, 485, 488, 502, 510, 512, 526, 545, 558, 598, 623, 650, 669, 673, 682, 683, 693, 702, 717, 718, 728, 731, 751, 765, 767, 783, 796, 819, 838, 860, 873, 879, 880, 887, 929, 930, 933, 940, 962, 969, 970, 974, 1009, 1016, 1017, 1047, 1048, 1050, 1064, 1074, 1075, 1081, 1088, 1092, 1107, 1117, 1135, 1144, 1154, 1155, 1158 |
| Federal Relations and Immigration..... | 22, 66, 77, 89, 98, 115, 286, 289, 293, 339, 401, 520, 735 |
| Finance..... | 22, 101, 102, 113, 204, 226, 236, 275, 281, 282, 360, 362, 377, 396, 401, 417, 442, 468, 504, 545, 552, 578, 610, 611, 659, 664, 669, 693, 727, 743, 749, 749-50, 782, 783, 788, 844, 871, 911, 938, 1023, 1066, 1074, 1105, 1137, 1154 |
| Forestry, Yosemite Valley, Mariposa Big Tree Grove, and Fish and Game..... | 22, 92, 273, 345, 415, 660, 693 |
| Harbors, Rivers, and Coast Defenses..... | 22 |
| Hospitals..... | 22, 77, 165, 179, 213, 247, 337, 359, 474, 735 |
| Irrigation and Water Rights..... | 22, 178, 275, 330, 442, 553, 658, 660, 822, 930, 1086, 1152 |
| Judiciary..... | 22, 98, 178, 212, 223, 233, 247, 275, 283, 284, 298, 311, 339, 377, 415, 443, 472, 521, 553, 580, 611, 657, 700, 704, 730, 823, 872, 940, 979, 1019, 1025, 1105, 1134 |
| Labor and Capital..... | 22, 121, 179, 309, 310, 338, 444, 658, 939 |
| Military Affairs..... | 22, 160, 273, 338 |
| Mines, Drainage, and Mining Debris..... | 22, 103, 224, 520 |
| Public Buildings other than Prison Buildings..... | 23, 92, 118, 119, 213, 224, 226, 235, 273, 330, 338, 395, 692, 748 |
| Public Printing..... | 22, 224, 329, 475, 545, 578, 607, 694, 736, 748, 822 |
| Public and Swamp and Overflowed Lands..... | 22, 165, 310, 398, 520, 579, 845 |
| Roads and Highways..... | 22, 243, 244, 360, 470, 475, 605 |
| State Library and Rules..... | 10, 22, 23, 180, 235 |
| State Prisons and Prison Buildings..... | 23, 103, 178, 286, 330, 417, 418, 658, 750, 822 |
| San Francisco Delegation..... | 310, 379, 396, 400, 523, 605, 748, 786 |
| COMMUNICATIONS. From Dennis Kearny..... | 291 |
| From P. B. Gallagher, relative to San Francisco Police Commission..... | 325 |
| From Sacramento Federated Trades, relative to State printing..... | 395 |
| From Trans-Mississippi Congress..... | 414 |
| From J. H. C. Bonté..... | 577 |
| From John T. Cutting..... | 585 |
| From James D. Phelan..... | 922 |
| From E. P. Colgan, State Controller, and William H. H. Hart, Attorney-General..... | 1097-1102 |
| From H. E. Schilling, Mayor of San José..... | 1141 |
| From Mrs. E. B. Price..... | 1148 |

D

| | |
|--|-------------------------------|
| DAVISSON, J. H. Nominated member of State Board of Health..... | 1122 |
| Confirmed..... | 1143 |
| DENISON, E. S. Appointed on committees..... | 23, 112 |
| Bills introduced..... | 34, 54, 67, 116, 299, 492 |
| Leave of absence..... | 244, 407, 414, 1095 |
| Petitions..... | 53 |
| Resolutions..... | 8, 114, 980, 1044, 1139, 1161 |
| DUNN, W. J. Appeared and qualified..... | 1 |
| Appointed on committees..... | 23 |
| Bills introduced..... | 62, 595 |
| Petitions..... | 496 |

E

| | |
|---|---|
| EARL, G. C. Appeared and qualified..... | 1 |
| Appointed on committees..... | 23, 1157 |
| Bills introduced..... | 34, 35, 53, 73, 74, 78, 90, 117, 185, 194, 199, 210, 241, 250, 286, 300, 334, 403, 445, 517, 555, 596 |

| | PAGE. |
|---|--|
| EARL, G. C. Leave of absence..... | 177, 309, 414, 536, 682, 698, 847, 983 |
| Petitions..... | 250, 356, 359, 784, 910, 1029 |
| Resolutions..... | 7, 195, 243, 364, 393, 551, 842-3, 1008, 1106 |
| EELLS, CHAS. P. Nominated Trustee Home for Feeble-Minded Children..... | 352 |
| Confirmed..... | 368 |
| ELLIOTT, J. M. Nominated Trustee Reform School..... | 48 |
| Confirmed..... | 50 |
| EMPLOYES. See OFFICERS AND ATTACHÉS. | • |
| EVERETT, D. H. Appointed on committees..... | 23, 24, 377 |
| Bills introduced..... | 37, 78, 85, 243, 225, 341, 403 |
| Leave of absence..... | 72, 320, 434, 612, 656, 667, 1088 |
| Resolutions..... | 8, 13, 22, 57, 88, 168, 170, 229, 530, 831, 1008, 1072, 1133 |
| F | |
| FAY, JOHN. Appeared and qualified..... | 1 |
| Appointed on committees..... | 23 |
| Bills introduced..... | 35, 36, 61, 97, 180, 277, 312 |
| Leave of absence..... | 309, 550, 771 |
| Resolutions..... | 171, 497 |
| FLINT, THOMAS, JR. Appeared and qualified..... | 1 |
| Appointed on committees..... | 23 |
| Bills introduced..... | 36, 37, 67, 85, 118, 171, 174, 194, 296, 300, 418, 448, 595, 832 |
| Leave of absence..... | 177, 735, 883 |
| Petitions..... | 201, 664, 871 |
| Resolutions..... | 498, 831, 1106 |
| FOOTE, H. S. Nominated Regent State University..... | 49 |
| Confirmed..... | 52 |
| FORD, TIREY L. Appeared and qualified..... | 1 |
| Appointed on committees..... | 23, 377 |
| Bills introduced..... | 37, 62, 67, 166, 174, 277, 312, 319, 342, 445, 468 |
| Leave of absence..... | 296, 677, 688, 732, 780, 1010, 1041 |
| Petitions..... | 328 |
| Resolutions..... | 8, 9, 20, 280, 329, 363, 384, 404, 743, 753, 887, 937, 1017, 1027, 1130, 1160 |
| G | |
| GIBSON, F. A. Nominated Trustee Reform School..... | 48 |
| Confirmed..... | 51 |
| GESFORD, H. C. Appeared and qualified..... | 2 |
| Appointed on committees..... | 23, 278 |
| Bills introduced..... | 37, 38, 40, 45, 54, 65, 68, 73, 97, 166, 168, 207, 210, 332, 351, 446, 518 |
| Leave of absence..... | 99, 119, 296, 320, 896 |
| Petitions..... | 202, 515, 785, 821, 952 |
| Resolutions..... | 392, 1015, 1103, 1157 |
| GOUCHER, G. G. Appointed on committees..... | 23, 191, 278 |
| Bills introduced..... | 66, 75, 78, 116, 167, 171, 217, 278, 333, 390, 573 |
| Leave of absence..... | 14, 53, 60, 244, 709, 1079 |
| Petitions..... | 166, 181, 187, 192, 202, 821 |
| Resolutions..... | 289, 308, 670, 1105, 1131 |
| GRASS VALLEY. Adoption of charter of..... | 894 |
| H | |
| HARP, T. D. Appointed on committees..... | 23 |
| Bills introduced..... | 62, 63, 186, 193, 312 |
| Leave of absence..... | 177, 735 |
| Petitions..... | 190, 201 |
| Resolutions..... | 217, 466, 499 |
| HART, E. C. Appeared and qualified..... | 1 |
| Appointed on committees..... | 15, 23, 24, 278 |
| Bills introduced..... | 38, 53, 54, 57, 62, 86, 89, 90, 91, 103, 120, 186, 191, 193, 208, 225, 241, 250, 276, 279, 296, 312, 333, 342, 362, 403, 448, 596, 597 |
| Leave of absence..... | 291, 309, 943 |
| Petitions..... | 953 |
| Resolutions..... | 12, 14, 15, 46, 70, 80, 87, 181, 499, 671, 673 |
| HAYES, DANIEL E. Nominated State Prison Director..... | 49 |
| Confirmed..... | 53 |
| HAYES, R. B. EX PRESIDENT. Adjournment out of respect to memory of..... | 113 |
| HIGGINS, M. R. Nominated and confirmed Insurance Commissioner..... | 324, 325 |
| HOYT, J. B. Appeared and qualified..... | 2 |
| Appointed on committees..... | 23, 24, 72 |
| Bills introduced..... | 68, 116, 163, 209, 342, 361, 517, 595 |
| Leave of absence..... | 380, 418, 728, 739, 788, 815, 915 |
| Petitions..... | 785, 953 |
| Resolutions..... | 9, 233 |

I

| | PAGE. |
|--|-------|
| IVORY, MARK B. Nominated State Prison Director | 353 |
| Confirmed | 370 |

J.

| | |
|--|--|
| LAINE, J. R. Nominated member State Board of Health | 354 |
| Confirmed | 373 |
| LANGFORD, B. F. Appeared and qualified | 1 |
| Appointed on committees | 23, 24 |
| Bills introduced | 67, 78, 86, 90, 97, 116, 163, 216, 287, 312, 342, 445, 535 |
| Leave of absence | 177, 390, 550, 667, 847, 917 |
| Petitions | 16, 61, 359, 821 |
| Resolutions | 17, 59, 81, 501, 1152 |
| LIBRARY, STATE, TRUSTEES OF. Resolution fixing date of joint session | 100 |
| Proceedings of joint session | 104 |
| Result of joint ballot | 106 |
| LOUGEE, F. W. Nominated Trustee Feeble-Minded Home | 48 |
| Confirmed | 51 |

M

| | |
|--|--|
| McALLISTER, E. Appeared and qualified | 1 |
| Appointed on committees | 23, 24, 616 |
| Bills introduced | 38, 56, 103, 116, 199, 208, 218, 517, 594 |
| Leave of absence | 177, 326, 550, 788, 847 |
| Resolutions | 113, 390, 700 |
| McGOWAN, F. Appeared and qualified | 25 |
| Appointed on committees | 23, 112, 278, 616 |
| Bills introduced | 38, 56, 57, 28, 63, 80, 81, 84, 85, 97, 163, 167, 186, 210, 312, 342, 447, 518, 552, 596 |
| Leave of absence | 178, 620 |
| Petitions | 201, 251, 871 |
| Resolutions | 57, 59, 69, 190, 191, 244, 290, 304, 354, 440, 492, 594, 785, 1018 |
| MACNEIL, H. L. Nominated Fish Commissioner | 48 |
| Confirmed | 52 |
| McDONALD, A. Nominated Trustee Stockton Insane Asylum | 48 |
| Confirmed | 52 |
| McDOUGAL, J. D. Nominated Trustee Stockton Insane Asylum | 353 |
| Confirmed | 371 |
| MAHER, T. C. Appointed on committees | 15, 23, 616 |
| Bills introduced | 39, 59, 62, 67, 74, 85, 87, 167, 173, 194, 207, 288, 300, 342, 447, 516, 595 |
| Resolutions | 7, 9, 16, 17, 86, 87, 244, 286, 354, 844, 1161 |
| MAHONEY, J. H. Appointed on committees | 23, 24, 72 |
| Bills introduced | 39, 42, 68, 74, 84, 97, 117, 163, 185, 186, 190, 207, 277, 300, 516, 553, 754 |
| Leave of absence | 244 |
| Petitions | 747 |
| Resolutions | 7, 8, 16, 242, 306, 571, 665, 754, 1087 |
| MARTIN, NOBLE. Appeared and qualified | 1 |
| Appointed on committees | 23 |
| Bills introduced | 445, 518, 1077 |
| Leave of absence | 1016 |
| Petitions | 202 |
| Resolutions | 500, 811, 1077 |
| MATHEWS, J. R. Appeared and qualified | 1 |
| Appointed on committees | 23 |
| Bills introduced | 40, |
| 45, 57, 67, 77, 78, 79, 84, 103, 120, 167, 174, 180, 184, 241, 225, 277, 288, 341, 418, 445, 516 | |
| Constitutional amendment | 1028 |
| Leave of absence | 244, 667, 847 |
| Petitions | 201, 441, 704 |
| Resolutions | 47, 64, 112, 877, 1021, 1113 |
| MESSAGES, ASSEMBLY. Relative to organization | 12 |
| Relative to A.J.R. 2 | 31 |
| Relative to A.C.R. 2 | 66 |
| Relative to S.J.R. 3 | 66 |
| Relative to A.C.R. 4 | 87 |
| Relative to A.B. 4 | 96 |
| Relative to election of United States Senator | 96 |
| Relative to A.B. 10 | 99 |
| Relative to A.C.R. 8 | 100 |
| Relative to S.C.R. 3 | 184 |
| Relative to A.B. 27 | 193 |
| Relative to Substitute for S.J.R. 1 and 2 | 206 |

| MESSAGES, ASSEMBLY. Relative to A.C.A. 8 | PAGE |
|---|----------|
| Relative to A.B. 138 | 213 |
| Relative to A.B. 37 | 224 |
| Relative to A.B. 31 | 224 |
| Relative to S.B. 17; S.J.R. 11; A.B. 21 and 50; A.J.R. 7, 9, and 11 | 240 |
| Relative to A.C.R. 7 | 250 |
| Relative to S.C.R. 2; A.J.R. 19, 16, 17, 8, and 10 | 287 |
| Relative to A.B. 1, 9, 75, and 146 | 301 |
| Relative to A.B. 587 | 303 |
| Relative to S.J.R. 18, concerning break in Feather River | 331 |
| Relative to S.J.R. 15, concerning deep-water harbor at San Pedro | 331 |
| Relative to A.C.R. 14 | 331 |
| Relative to Substitute for A.B. 144; A.B. 142, 100, 71, and 84 | 331 |
| Relative to A.B. 45 | 331 |
| Relative to A.B. 312 | 335 |
| Relative to S.J.R. 20 | 341 |
| Relative to S.B. 24 | 351 |
| Relative to S.J.R. 16 | 361 |
| Relative to A.B. 8 and S.B. 279 | 402 |
| Relative to A.B. 287, 186, 211, 281, 127, 195, 426, 427, 269, 282, 460, 459, 500, and 30 | 411 |
| Relative to A.B. 113 and 114; A.J.R. 4 | 418 |
| Relative to S.B. 573 | 421 |
| Relative to A.B. 271 | 444 |
| Relative to A.B. 627, 634, 635, 128, 126, 60, 69, 77, 96, and 112 | 476 |
| Relative to S.B. 206 | 476 |
| Relative to A.B. 164, 212, 213, 214, 227, and 245; S.B. 114, 125, and 212 | 477 |
| Relative to A.B. 270 and 185; S.B. 49 | 543 |
| Relative to A.B. 153, 162, and 428; S.B. 143, 72, 346, 267, and 93 | 544 |
| Relative to A.B. 416, 403, and 82; S.B. 364 | 587 |
| Relative to A.B. 296; A.J.R. 26; S.C.R. 5 | 588 |
| Relative to A.B. 276, 298, 277, 265, 90, and 117 | 588 |
| Relative to A.B. 2; S.B. 177 | 589 |
| Relative to S.B. 132; A.B. 700 | 590 |
| Relative to A.C.A. 12; S.C.A. 14; A.B. 720; S.B. 9 and 134 | 611 |
| Relative to S.B. 47 | 612 |
| Relative to A.B. 797 | 624 |
| Relative to A.B. 100 and 737; S.B. 632, 11, 20, 1, and 174 | 639 |
| Relative to A.B. 36 and 402 | 640 |
| Relative to A.B. 469; A.C.A. 7 | 664 |
| Relative to A.B. 188 | 674, 675 |
| Relative to A.B. 688 and 734; S.B. 62, 401, and 393 | 675 |
| Relative to S.B. 569 and 80 | 675 |
| Relative to S.B. 6, 538, 761, and 220 | 701 |
| Relative to S.B. 480; Substitute for S.B. 120 and 481; Substitute for A.B. 506 | 701 |
| Relative to S.B. 320, 198, and 382 | 702 |
| Relative to S.B. 131 and 384 | 706 |
| Relative to A.C.A. 29 | 706 |
| Relative to A.B. 193 and 839 | 752 |
| Relative to A.C.A. 4 | 752 |
| Relative to S.B. 218 and 349 | 752 |
| Relative to A.B. 473, 365, 81, and 264; S.B. 36, 652, 122, and 103 | 753 |
| Relative to S.B. 219; A.B. 477, 396, 674, 543, 847, 848, and 849 | 797 |
| Relative to A.C.R. 18; A.B. 280, 654, 214, 213, 212, 113, 37, and 788 | 798 |
| Relative to A.B. 18, 393, 235, and 427; Substitute for S.B. 538; S.B. 214; Substitute for S.B. 302 | 799 |
| Relative to A.B. 426 | 800 |
| Relative to A.B. 581 | 828 |
| Relative to S.C.R. 1; S.B. 778; A.B. 354, 726, 85, 305, and 149 | 829 |
| Relative to conference on S.B. 214; A.C.R. 19; A.B. 244 | 829 |
| Relative to S.B. 200; A.B. 513, 848, and 849 | 830 |
| Relative to A.B. 426 | 831 |
| Relative to A.B. 284 | 842 |
| Relative to A.B. 307, 611, 368, 691, 108, 236, 313, and 272; S.B. 775 and 776 | 897 |
| Relative to S.B. 229, 354, 332, 40, 641, and 96; A.B. 850, 815, 219, and 777; Substitute for S.B. 157, etc. | 898 |
| Relative to S.B. 504, 38, 555, 669, 214, and 506; A.B. 550, 696, and 666 | 899 |
| Relative to S.B. 405, 342, 230, 115, 538, and 671; A.B. 774 | 900 |
| Relative to A.B. 595; A.C.A. 14; S.B. 5, 50, and 101 | 913 |
| Relative to S.B. 116; A.B. 239 | 965 |
| Relative to A.B. 216, 585, 138, 543, 56, 729; Substitute for S.B. 231 | 966 |
| Relative to Substitute for S.B. 232, 239, and 434; S.B. 463, 627, 658, and 445; A.B. 139, 349, 117, and 426 | 967 |
| Relative to A.B. 772; S.B. 492 and 137 | 968 |
| Relative to S.B. 166, 233, and 160; A.B. 63, 578, 540, 20, and 630 | 981 |
| Relative to S.C.A. 17; S.B. 507, 601, 732, 705, 722, 602, 603, 281, and 479 | 982 |

| | PAGE. |
|---|----------------------------------|
| MESSAGES, ASSEMBLY. Relative to A.B. 191, 403, 663, 365, and 66..... | 966 |
| Relative to A.B. 853 | 1000 |
| Relative to A.B. 596 | 1017 |
| Relative to A.B. 512 and 604; S.B. 116..... | 1018 |
| Relative to S.B. 186, 742, 743, 215, 217, 184, 783, and 784; S.C.A. 18; S.C.R. 10 and 11 | 1048 |
| Relative to S.C.R. 9; A.B. 188; S.B. 781 | 1049 |
| Relative to S.B. 210; S.J.R. 25; A.B. 796 | 1060 |
| Relative to S.B. 144; S.C.A. 7; A.B. 242 | 1082 |
| Relative to A.B. 727, 613, 53, and 10; S.C.R. 12 | 1083 |
| Relative to A.B. 67, 667, 742, 810, and 684; S.B. 210..... | 1084 |
| Relative to S.J.R. 5; A.B. 747, 264, and 762 | 1085 |
| Relative to S.B. 113 and 74 | 1104 |
| Relative to A.B. 614, 852, and 856; S.B. 347 | 1105 |
| Relative to S.B. 552 and 383 | 1110 |
| Relative to A.B. 666; S.C.A. 23; S.B. 655, 613, 221, 250, 48, 193, and 309; Substi-
tute for S.B. 291, etc. | 1114 |
| Relative to S.B. 199, 607, 182, 109, 202, 772, 470, 729, 204, 155, 8, and 201; A.B. 74 .. | 1120 |
| Relative to A.B. 854 | 1124 |
| Relative to A.B. 596 | 1140 |
| Relative to reconsideration of A.B. 596 | 1141 |
| Relative to S.C.A. 16; A.B. 141 | 1144 |
| Relative to S.B. 598, 759, 635, 141, 191, 644, 205, and 283; S.J.R. 27; A.C.A. 31 .. | 1145 |
| Relative to A.B. 857 | 1148 |
| Relative to A.J.R. 20; S.B. 697, 693, 341, 757, 736, 147, and 606; S.C.A. 20 | 1149 |
| Relative to S.B. 438, 576, 286, 381, 363, 389, 66, 331, 211, and 689 | 1150 |
| Relative to A.B. 805; S.B. 210, 351, 557, 358, 105, 719, and 680 | 1153 |
| Relative to A.B. 74 and 596 | 1154 |
| Relative to S.B. 553, 7, 530, 615, 531, 551, and 712, and Free Conference Com-
mittee report on S.B. 606 | 1156 |
| Relative to S.B. 614, 563, 148, and 13; S.J.R. 26 | 1157 |
| Relative to S.B. 730 | 1158 |
| MESSAGES, GOVERNOR. First biennial | 12 |
| Giving list of appointments made during recess of the Senate | 47 |
| Approving S.B. 17 and 455 | 296 |
| Nominating M. R. Higgins, Insurance Commissioner | 324 |
| Nominating J. B. Brown, Brigadier-General | 352 |
| Nominating C. P. Eells, Trustee of the California Home for Feeble-Minded
Children | 352 |
| Nominating C. A. Rowell and C. W. Slack, Regents of the University | 353 |
| Nominating Mark B. Ivory, State Prison Director | 353 |
| Nominating Dan. T. Cole, State Harbor Commissioner | 353 |
| Nominating Arthur Thornton, J. D. McDougal, and H. O. Southworth,
Directors of the Insane Asylum at Stockton | 353 |
| Nominating C. W. Nutting, member State Board of Health | 353 |
| Nominating P. C. Remondino, W. G. Cochran, J. R. Laine, W. R. Cluness, W.
F. Wiard, and C. A. Ruggles, members of the State Board of Health | 354 |
| Relative to financial legislation | 542 |
| Approving S.B. 24 | 542 |
| Approving S.B. 279, 573, 125, 212, 206, 364, 114, 346, 267, 9, 1, 11, 174, 72, 62, 177, 20,
and 401 | 752 |
| Refusing to approve S.B. 49 | 841 |
| Approving S.B. 76, 220, 481, 480, 320, 132, and Substitute for S.B. 120 | 841 |
| Approving S.B. 778, 93, 775, 776, and 134 | 1121 |
| Approving S.B. 632, 274, 382, 122, 652, 218, 538, 230, 504, 553, 669, 96, 354, 405, 332,
342, 671, 393, 36, 35, 115, 445, 627, 492, 658, 239, 232, 231, 463, 732, 160, 602, 603,
601, 233, 705, 722, 349, 198, 641, 784, and 783, Substitute for S.B. 131, and for
S.B. 158, 372, 373, and 441 | 1122 |
| Nominating J. H. Davisson and Winslow Anderson, members of State Board
of Health | 1148 |
| Nominating C. W. Fauly and D. C. Reed Harbor Commissioners for San Diego
Bay | 1148 |
| Approving S.B. 384 | 1148 |
| MITCHELL, T. F. Appeared and qualified | I |
| Appointed on committees | 23, 616 |
| Bills introduced | 41, 163, 185, 276, 342, 445, 516 |
| Leave of absence | 309 |
| Petitions | 670, 735 |
| Resolutions | 502 |
| MULLER, M. W. Nominated Brigadier-General | 49 |
| Confirmed | 53 |
| MURDOCK, W. C. Nominated Fish Commissioner | 48 |
| Confirmed | 52 |

| | |
|---|------|
| NAPA CITY. Adoption of charter of..... | 1057 |
| NUTTING, C. W. Nominated member of State Board of Health..... | 353 |
| Confirmed..... | 372 |

| | |
|--|--|
| OFFICERS AND ATTACHÉS. President pro tem..... | 3 |
| Secretary..... | 3 |
| First Assistant Secretary..... | 3 |
| Second Assistant Secretary..... | 3 |
| Sergeant-at-Arms..... | 4 |
| Minute Clerk..... | 4 |
| Journal Clerk..... | 4 |
| Enrolling Clerk..... | 4 |
| Engrossing Clerk..... | 5 |
| First Assistant Minute Clerk..... | 5 |
| Second Assistant Minute Clerk..... | 5 |
| First Assistant Journal Clerk..... | 5 |
| Second Assistant Journal Clerk..... | 5 |
| Assistant Enrolling Clerk..... | 6 |
| Assistant Engrossing Clerk..... | 6 |
| First Assistant Sergeant-at-Arms..... | 6 |
| Postmistress..... | 7 |
| Assistant Postmistress..... | 7 |
| Second Assistant Sergeant-at-Arms..... | 7 |
| Third Assistant Secretary..... | 7 |
| Messenger to Sergeant-at-Arms..... | 7 |
| Mail Carrier..... | 8 |
| Watchmen..... | 8 |
| Messenger to State Printer..... | 8 |
| Bill Clerk..... | 8 |
| Folding and Mailing Clerk..... | 8 |
| Porters..... | 8 |
| Doorkeeper..... | 9 |
| Day Watchmen..... | 9 |
| Gatekeepers..... | 9 |
| Pages..... | 9 |
| History Clerk..... | 9 |
| Bookkeeper and Clerk..... | 10 |
| Messenger to Election Committee..... | 14 |
| Janitress..... | 14 |
| Electrician..... | 20 |
| Second Bookkeeper to Sergeant-at-Arms..... | 22 |
| Sergeant-at-Arms to Judiciary Committee..... | 58 |
| Porter..... | 64 |
| Clerk to San Francisco Delegation..... | 65 |
| Assistant Sergeant-at-Arms for Judiciary Committee..... | 70 |
| Messenger for Judiciary Committee..... | 70 |
| Assistant Clerk to Claims Committee..... | 79 |
| Porter to Judiciary Committee..... | 87 |
| File Clerk..... | 87 |
| Assistant History Clerk..... | 88 |
| Second Assistant Engrossing Clerk..... | 92 |
| Page..... | 194 |
| Stenographer for Committee on Corporations..... | 194 |
| Stenographer for Committee on Constitutional Amendments..... | 195 |
| Sergeant-at-Arms for Room 58..... | 236 |
| Emil Ney, Messenger..... | 237 |
| Almon Ames, Sergeant-at-Arms..... | 237 |
| Samuel Solomon, Messenger..... | 237 |
| M. S. Torrey, Sergeant-at-Arms..... | 237 |
| R. A. May, Messenger..... | 237 |
| Benjamin Williams, Messenger..... | 237 |
| William Sampson, Messenger..... | 237 |
| Charles Coombs, Sergeant-at-Arms..... | 238 |
| L. E. Richardson, Messenger..... | 238 |
| Clara Fowler, Engrossing Clerk..... | 238 |
| Andy Branch, History Clerk..... | 282 |
| A. W. Johnson, Assistant Enrolling Clerk..... | 311 |
| P. M. Fisher, Clerk..... | 551 |
| ORR, ORESTES. Appeared and qualified..... | 1 |
| Appointed on committees..... | 23, 24 |
| Bills introduced..... | 42, 166, 167, 185, 287, 333, 351, 448, 545, 554, 695 |

| | |
|--|---|
| ORR, ORESTES. Leave of absence..... | 72, 997 |
| Resolutions..... | 405, 468, 502, 695, 914, 929 |
| OSTROM, D. A. Appointed on committees..... | 23, 24, 280 |
| Bills introduced..... | 42, 45, 59, 62, 78, 97, 116, 190, 194, 250, 226, 300, 312, 518, 595 |
| Leave of absence..... | 1092 |
| Petitions..... | 246, 337, 395, 515, 785, 871 |
| Resolutions..... | 17, 19, 70, 82, 304, 419, 504, 608, 1110 |

P

| | |
|--|---------------|
| PAULY, CHAS. W. Nominated Harbor Commissioner for Bay of San Diego..... | 1122 |
| Confirmed..... | 1143 |
| PETITIONS. By Langford; relative to Nicaragua Canal..... | 16 |
| By Denison; relative to Superior Judges..... | 53 |
| By Langford; relative to ramie culture..... | 61 |
| By Goucher; relative to Judge of Fresno County..... | 166 |
| By Goucher; relative to division of Fresno County..... | 181, 187, 192 |
| By Harp; relative to division of Fresno County..... | 190 |
| By Flint; relative to Sunday law..... | 201 |
| By Harp; relative to Sunday law..... | 201 |
| By McGowan; relative to Sunday law..... | 201 |
| By Mathews; relative to Sunday law..... | 201 |
| By Maher; relative to Sunday law..... | 201, 202 |
| By Voorheis; relative to Sunday law..... | 201 |
| By Goucher; relative to Sunday law..... | 202 |
| By Gesford; relative to Sunday law..... | 202 |
| By Martin; relative to Sunday law..... | 202 |
| By Seawell; relative to Sunday law..... | 202 |
| By Berry; relative to county division..... | 234 |
| By Ostrom; relative to community property..... | 246 |
| By Ostrom; relative to State text-books..... | 246 |
| By Earl; relative to convict labor..... | 250 |
| By Campbell; relative to a day of rest..... | 297 |
| By Shippee; relative to county division..... | 299 |
| By Seawell; relative to sale of liquors near asylum..... | 299 |
| By Shippee; relative to county division..... | 309 |
| By Campbell; relative to bills to provide a day of rest for laborers..... | 328 |
| By Ford; relative to compensation of Railroad Commissioners..... | 328 |
| By Seawell; relative to S.B. 175, urging its passage..... | 336, 337 |
| By Ostrom; relative to inheritance by surviving husband or wife..... | 337 |
| By Earl; relative to S.B. 383..... | 356 |
| By Earl; relative to Whittier Reform School..... | 359 |
| By Langford; relative to Whittier Reform School..... | 359 |
| By Ostrom; relative to community property..... | 395 |
| By Mathews; relative to woman suffrage..... | 441 |
| By Burke; relative to S.B. 71..... | 488 |
| By Berry; relative to day of rest..... | 515 |
| By Ostrom; relative to game laws..... | 515 |
| By Gesford; relative to cession of Clear Lake..... | 515 |
| By Broderick; relative to opening streets..... | 576 |
| By Ostrom; relative to bonds for levees..... | 608 |
| By Mitchell; relative to cordage factory at Folsom..... | 670 |
| By Mathews; relative to physical training..... | 704 |
| By Mitchell; relative to convict vs. free labor..... | 735 |
| By Shippee; relative to uniform license..... | 735 |
| By Mahoney; relative to Boards of Supervisors being empowered to give credit to prisoners for good behavior..... | 747 |
| By Ostrom; relative to uniform license..... | 748 |
| By Shippee; relative to uniform license..... | 748 |
| By Earl; relative to uniform license..... | 784 |
| By Earl; relative to cordage factory bills..... | 784 |
| By Gesford; relative to uniform license..... | 785 |
| By Hoyt; relative to uniform license..... | 785 |
| By Ostrom; relative to uniform license..... | 785 |
| By Campbell; relative to uniform license..... | 821 |
| By Gesford; relative to uniform license..... | 821 |
| By Goucher; relative to uniform license..... | 821 |
| By Berry; relative to uniform license..... | 821 |
| By Langford; relative to uniform license..... | 821 |
| By Voorheis; relative to uniform license..... | 870 |
| By Campbell; relative to uniform license..... | 871 |
| By Flint; relative to uniform license..... | 871 |
| By Whitehurst; relative to uniform license..... | 871 |
| By McGowan; relative to uniform license..... | 871 |

| | PAGE. |
|--|-------|
| PETITIONS. By Ostrom; relative to uniform license..... | 871 |
| By Earl; relative to uniform license | 910 |
| By Whitehurst; relative to uniform license | 911 |
| By Gesford; relative to uniform license | 952 |
| By Hoyt; relative to uniform license | 953 |
| By Hart; relative to uniform license | 953 |
| By Earl; relative to uniform license | 1029 |
| By Biggy; relative to Golden Gate Park | 1064 |
| PROTEST. By Senator Hart; relative to S.C.A. 23..... | 1108 |

R

| | |
|--|---|
| RAGSDALE, J. W. Appointed on committees..... | 15, 23, 24 |
| Bills introduced..... | 42, 43, 54, 61, 78, 89, 91, 97, 103, 117, 184, 193, 288 |
| Leave of absence..... | 244 |
| Resolutions..... | 58, 384, 467, 598, 1141 |
| REED, D. C. Nominated Harbor Commissioner for Bay of San Diego..... | 1122 |
| Confirmed | 1143 |
| REMONDINO, P. C. Nominated member State Board of Health..... | 354 |
| Confirmed | 372 |
| RESOLUTIONS. By Bailey; for Assistant Enrolling Clerk..... | 6 |
| By Simpson; for Assistant Engraving Clerk..... | 6 |
| By Carpenter; for Assistant Postmistress | 7 |
| By Mahoney; for Second Assistant Sergeant-at-Arms | 7 |
| By Earl; for Third Assistant Secretary | 7 |
| By Maher; for Messenger to Sergeant-at-Arms..... | 7 |
| By Everett; for Mail Carrier | 8 |
| By Mahoney; for Watchmen | 8 |
| By Voorheis; for Messenger to State Printer..... | 8 |
| By Ford; for Bill Clerk..... | 8 |
| By Streeter; for Folding and Mailing Clerk..... | 8 |
| By Denison; for Porters..... | 8 |
| By Hoyt; for Doorkeeper | 9 |
| By Voorheis; for Day Watchmen | 9 |
| By Ford; for Gatekeepers | 9 |
| By Shippee; for Pages..... | 9 |
| By Maher; for History Clerk..... | 9 |
| By Carpenter; for Bookkeeper and Clerk..... | 10 |
| By Voorheis; notifying Assembly of organization..... | 11 |
| By Voorheis; notifying Governor of organization | 11 |
| By Seawell; for Committee on Rules..... | 11 |
| By Hart; for Chaplain | 12 |
| By Everett; instructing Sergeant-at-Arms | 13 |
| By Carpenter; for Messenger..... | 13 |
| By Campbell; for Janitress..... | 14 |
| By Hart; instructing Sergeant-at-Arms..... | 14 |
| By Broderick; for Private Bill Clerk | 15 |
| By Hart; for pocket edition of Codes | 15 |
| By Maher; instructing Controller..... | 16 |
| By Mahoney; for contingent expenses | 16 |
| By Langford; relative to Nicaragua Canal | 17 |
| By Ostrom; relative to Nicaragua Canal..... | 17 |
| By Maher; relative to supplies | 17 |
| By Streeter; mileage and per diem of temporary officers | 18 |
| By Streeter; mileage of Senators | 19 |
| By Ostrom; relative to Anti-Option Bill | 19 |
| By Ford; for Electrician | 20 |
| By Voorheis; for Second Bookkeeper to Sergeant-at-Arms..... | 22 |
| By Everett; relative to Post Office..... | 22 |
| By Streeter; amending former report of committee..... | 22 |
| By Voorheis; relative to introduction of bills..... | 24 |
| By Voorheis; relative to County Law Libraries | 24 |
| By Seawell; relative to Assembly messages..... | 31 |
| By Broderick; relative to pay of Gallery Porter | 47 |
| By Mathews; relative to pay of Rear Porter | 47 |
| By Voorheis; relative to appropriation bills..... | 47 |
| By Mathews; relative to Nicaragua Canal | 47 |
| By Everett; relative to Assistant Bill Clerk..... | 57 |
| By McGowan; relative to Sergeant-at-Arms to Judiciary Committee..... | 58 |
| By Ragsdale; relative to Deering's Codes | 58 |
| By McGowan; relative to copies of bills..... | 59 |
| By Streeter; relative to printing bills | 59 |
| By Arms; relative to letter carriers | 63 |
| By Broderick; relative to Pages..... | 64 |

| | PAGE. |
|--|--------|
| RESOLUTIONS. By Voorheis; relative to Porter..... | 64 |
| By Mathews; relative to meeting of committees..... | 64 |
| By Broderick; relative to Clerk of San Francisco Delegation..... | 64 |
| By McGowan; relative to Judiciary Committee employés..... | 70 |
| By Hart; relative to Judiciary Committee Porter..... | 70 |
| By Ostrom; relative to Irrigation Congress..... | 70 |
| By Berry; relative to State Library Trustees..... | 71 |
| By Voorheis; relative to Room 55..... | 71 |
| By Campbell; relative to rubber stamps, etc..... | 71 |
| By Broderick; relative to \$25 allowance of each Senator..... | 79 |
| By Campbell; relative to Claims Committee Clerk..... | 79 |
| By Ostrom; relative to immigration..... | 82 |
| By Langford; relative to printing resolutions..... | 81 |
| By Campbell; relative to printing orders..... | 81 |
| By Maher; relative to Feeble-Minded Home..... | 86 |
| By Maher; relative to File Clerk..... | 87 |
| By Hart; relative to Porter..... | 87 |
| By Everett; relative to Assistant History Clerk..... | 88 |
| By Carpenter; relative to copies of Journal..... | 92 |
| By Broderick; relative to Assistant Engrossing Clerk..... | 92 |
| By Voorheis; relative to election of United States Senator..... | 93, 95 |
| By Mathews; relative to election of United States Senator..... | 112 |
| By Campbell; relative to Committee on Claims..... | 113 |
| By McAllister; relative to death of ex-President Hayes..... | 113 |
| By Voorheis; relative to S.B. 134..... | 114 |
| By Denison; relative to S.B. 24..... | 114 |
| By Carpenter; relative to S.B. 17..... | 115 |
| By Everett; relative to investigating asylums..... | 168 |
| By Everett; relative to increasing certain committees..... | 170 |
| By Seymour; relative to stationery for Lieutenant-Governor..... | 171 |
| By Fay; relative to Constitutional Debates..... | 171 |
| By Seawell; relative to investigating Adult Blind Home..... | 173 |
| By Streeter; relative to employés..... | 180 |
| By Hart; relative to Codes, etc., for members..... | 181 |
| By McGowan; relative to telegraph cable..... | 190 |
| By McGowan; relative to pay of Porters..... | 191 |
| By Carpenter; relative to Stenographer..... | 194 |
| By Goucher; relative to Pages..... | 194 |
| By Mathews; relative to harbor at San Pedro..... | 210 |
| By Harp; relative to appointing Pages..... | 217 |
| By Biggy; relative to investigating Reform School..... | 221 |
| By Everett; relative to attachés..... | 229 |
| By Streeter; relative to pay for Codes, etc..... | 229 |
| By Hoyt; relative to attachés..... | 233 |
| By Mahoney; relative to attachés..... | 242 |
| By Earl; relative to attachés..... | 243 |
| By Broderick; relative to attachés..... | 244 |
| By McGowan; relative to death of J. G. Blaine..... | 244 |
| By Maher; relative to urgency of S.B. 453..... | 246 |
| By McGowan; relative to attachés..... | 251 |
| By Voorheis; relative to attachés..... | 278 |
| By Ford; relative to S.B. 49..... | 280 |
| By Voorheis; relative to A.B. 553..... | 281 |
| By Shippee; relative to attachés..... | 283 |
| By Maher; relative to attachés..... | 286 |
| By Goucher; relative to S.B. 393..... | 289 |
| By McGowan; relative to S.B. 384..... | 290 |
| By Voorheis; relative to A.B. 587..... | 303 |
| By Campbell; relative to contingent expenses..... | 304 |
| By Ostrom; relative to Pacific Railroad indebtedness..... | 304 |
| By McGowan; relative to investigation of Railroad Commissioners..... | 304 |
| By Mahoney; relative to visit of committees..... | 306 |
| By Arms; relative to S.J.R. 20..... | 307 |
| By Goucher; relative to S.J.R. 21..... | 308 |
| By Streeter; relative to accounts..... | 308 |
| By Voorheis; relative to printing rules..... | 314 |
| By Ford; relative to S.J.R. 22..... | 329 |
| By McGowan; relative to Stenographer..... | 354 |
| By Maher; relative to Golden Gate Park..... | 355 |
| By Broderick; relative to pay of attaché..... | 355 |
| By Seawell; relative to S.B. 122..... | 363 |
| By Ford; relative to Whittier Reform School..... | 363 |
| By Voorheis; relative to free coinage of silver..... | 378 |
| By Ragsdale; relative to S.B. 569..... | 384 |

| | PAGE. |
|--|-------|
| RESOLUTIONS. By Ford; relative to S.B. 50 | 384 |
| By McAllister; relative to A.B. 50 | 390 |
| By Broderick; relative to S.B. 7 | 390 |
| By Williams; relative to S.B. 137 | 391 |
| By Gesford; relative to S.B. 221 | 392 |
| By Whitehurst; relative to S.B. 538 | 392 |
| By Earl; relative to S.B. 28 | 393 |
| By Ford; relative to S.J.R. 16 | 404 |
| By Arms; relative to visit of committees | 404 |
| By Orr; relative to Dr. Martin visiting asylum | 405 |
| By Ostrom; relative to telegraphing S.J.R. 18 | 419 |
| By McGowan; relative to printing testimony | 440 |
| By Carpenter; relative to pay of witnesses | 464 |
| By Harp; relative to attachés | 466 |
| By Streeter; relative to payment of expense bills | 466 |
| By Campbell; relative to attachés | 466 |
| By Burke; relative to adjournment | 466 |
| By Ragsdale; relative to evening sessions | 467 |
| By Seymour; relative to pay of witnesses | 467 |
| By Orr; relative to "identical" bills | 468 |
| By McGowan; relative to payment of expense bills | 492 |
| By Arms; relative to S.B. 445 | 493 |
| By Bailey; relative to A.B. 127 | 494 |
| By Berry; relative to A.B. 4 | 494 |
| By Burke; relative to S.B. 332 | 495 |
| By Campbell; relative to A.B. 142 | 496 |
| By Dunn; relative to S.B. 383 | 496 |
| By Fay; relative to S.B. 40 | 497 |
| By Flint; relative to S.B. 48 | 498 |
| By Harp; relative to S.B. 364 | 499 |
| By Hart; relative to S.B. 349 | 499 |
| By Langford; relative to S.B. 323 | 500 |
| By Martin; relative to S.B. 632 | 501 |
| By Mathews; relative to S.B. 652 | 501 |
| By Mitchell; relative to S.B. 101 | 502 |
| By Orr; relative to S.B. 613 | 502 |
| By Ostrom; relative to A.B. 8 | 504 |
| By Seawell; relative to payment of expense bills | 510 |
| By Seymour; relative to S.B. 481 | 513 |
| By Simpson; relative to S.B. 298 | 513 |
| By Streeter; relative to A.B. 153 | 528 |
| By Seawell; relative to S.B. 120 | 528 |
| By Everett; relative to S.B. 641 | 531 |
| By Biggy; relative to Substitute for S.B. 291, 183, and 123 | 531 |
| By Wilson; relative to S.B. 109 | 537 |
| By Earl; relative to attaché | 550 |
| By Carpenter; relative to A.B. 10 | 551 |
| By Mahoney; relative to visit of committee | 571 |
| By McGowan; relative to introduction of bills | 594 |
| By Ragsdale; relative to rules | 598 |
| By Carpenter; relative to committee expenses | 598 |
| By Seymour; relative to committee expenses | 599 |
| By Voorheis; relative to S.B. 774 | 618 |
| By Broderick; relative to pay of attaché | 656 |
| By Voorheis; relative to suspending provisions of Constitution for introduction of bills | 660 |
| By Mahoney; relative to committee to visit harbor, etc., at San Francisco | 665 |
| By Goucher; relative to Chas. Robinson | 670 |
| By Hart; relative to permission to introduce joint resolution | 671 |
| By Hoyt; relative to S.B. 635 | 673 |
| By Arms; relative to mileage to San Bernardino Asylum | 673 |
| By McAllister; relative to urgency of S.B. 38 | 700 |
| By Voorheis; relative to urgency of S.B. 774 | 710 |
| By Ford; relative to S.C.R. 7 | 743 |
| By Everett; relative to committee expenses | 751 |
| By Mahoney; relative to S.B. 779 | 754 |
| By Voorheis; relative to urgency of S.C.A. 7 and thirty-seven Senate bills | 760 |
| By Ford; relative to pay of E. Cowan, Janitor | 773 |
| By McGowan; relative to index of bills, etc. | 785 |
| By McGowan; relative to copies of all bills being sent to District Attorneys et al. | 786 |
| By Maher; relative to payment of committee expenses | 786 |
| By Martin; relative to adjournment | 811 |
| By Williams; relative to Assistant Secretary of Senate | 811 |

| | PAGE. |
|---|-----------------------------|
| RESOLUTIONS. By Voorheis; relative to A.B. 848 and 849 | 811 |
| By Everett; relative to pay for drayage of mails | 831 |
| By Flint; relative to S.B. 781 | 831 |
| By Ostrom; relative to World's Fair Commissioners | 832 |
| By Earl; relative to payment of committee expenses | 843 |
| By Maher; relative to copies of S.C.R. 9 | 844 |
| By Voorheis; relative to S.B. 775 and 776 | 857 |
| By Voorheis; relative to discharging attachés | 873 |
| By Broderick; relative to pay of W. H. Rice, clerk | 873 |
| By Mathews; relative to S.B. 714 | 877 |
| By Ford; relative to S.C.R. 11 | 887 |
| By Orr; relative to absence of Pages | 914 |
| By Whitehurst; relative to S.B. 782 | 914 |
| By Shippee; relative to A.B. 307 and 674 | 926 |
| By Voorheis; relative to A.B. 839 | 927 |
| By Berry; relative to S.B. 434 | 928 |
| By Orr; relative to A.B. 543 | 929 |
| By Ford; relative to S.B. 65 | 937 |
| By Broderick; relative to Hiram Clock, Porter | 939 |
| By Voorheis; relative to S.B. 783 and 784 | 968 |
| By Burke; relative to Substitute for A.B. 16, etc. | 979 |
| By Denison; relative to allowance for Minute Clerks | 980 |
| By Voorheis; relative to S.B. 783 and 784 | 985 |
| By Voorheis; relative to Substitute for A.B. 16, etc. | 990 |
| By Voorheis; relative to A.B. 853 | 1000 |
| By Everett; relative to pay for compiling Weekly History | 1008 |
| By Earl; relative to work of clerks after adjournment | 1008 |
| By Gesford; relative to S.C.R. 12 | 1015 |
| By Ford; relative to extra copies of S.B. 50 | 1017 |
| By McGowan; relative to committee expenses | 1018 |
| By Mathews; relative to contract in delinquent tax cases | 1021 |
| By Voorheis; relative to change of rules | 1022 |
| By Ford; relative to filings of sixteenth and thirty-sixth sections in Survey-
or-General's office | 1027 |
| By Denison; relative to urgency of various bills | 1044 |
| By Arms; relative to payment of sundry accounts | 1064 |
| By Everett; relative to employment of clerks after adjournment | 1072 |
| By Martin; relative to S.B. 785 | 1077 |
| By Voorheis; relative to S.B. 786 | 1086 |
| By Williams; relative to J. J. O'Connor, Assistant Sergeant-at-Arms | 1086 |
| By Mahoney; relative to urgency of various bills | 1087 |
| By Arms; relative to limiting speeches in debate | 1092 |
| By Seymour; relative to introduction of constitutional amendment | 1093 |
| By Streeter; relative to instructions of Committee on Attachés | 1095 |
| By Carpenter; relative to A.B. 506 | 1096 |
| By Gesford; relative to urgency of various bills | 1103 |
| By Goucher; relative to A.B. 696 and 856 | 1105 |
| By Earl; relative to A.B. 852 | 1106 |
| By Flint; relative to pay of Postmistress | 1106 |
| By Ostrom; relative to A.B. 189 | 1110 |
| By Mathews; relative to A.B. 747 | 1113 |
| By Wilson; relative to S.C.A. 24 | 1115 |
| By Voorheis; relative to A.B. 854 and 74 | 1125 |
| By Ford; relative to A.B. 611 | 1130 |
| By Burke; relative to copies of approved bills | 1131 |
| By Goucher; relative to pay of Mailing Clerk | 1131 |
| By Everett; relative to pay of Mail Carrier | 1133 |
| By Denison; relative to urgency of various bills | 1139 |
| By Ragsdale; relative to urgency of various bills | 1141 |
| By Voorheis; relative to A.B. 857 | 1148 |
| By Langford; relative to A.B. 141 and 578 | 1152 |
| By Voorheis; relative to A.B. 805 | 1154 |
| By Gesford; relative to committee to wait on the Governor | 1157 |
| By Ford; relative to pay of Enrolling Clerks | 1160 |
| By Hart; relative to pay of Pages | 1160 |
| By Maher; relative to pay of Postmistress | 1161 |
| By Denison; giving Lieutenant-Governor J. B. Reddick a vote of thanks | 1161 |
| ROWELL, CHESTER A. Nominated Regent of University | 353 |
| Confirmed | 369 |
| RUGGLES, C. A. Nominated member State Board of Health | 354 |
| Confirmed | 374 |
| RULES. Joint, of Senate and Assembly | 218 |
| Standing | 22, 25, 71, 689, 1022, 1023 |
| Temporary | 10 |

| | PAGE. |
|---|--|
| SACRAMENTO. Adoption of charter of | 158 |
| SEAWELL, J. H. Appointed on committees | 15, 23, 24, 72, 112, 278, 1160 |
| Bills introduced | 43, 54, 68, 84, 250, 273, 277, 280, 332, 447, 517, 554, 565, 793 |
| Leave of absence | 81, 82, 883, 1027 |
| Petitions | 202, 336, 337 |
| Resolutions | 11, 31, 173, 363, 510, 528 |
| SENATOR OF UNITED STATES. Nominations for | 94 |
| Ballot for | 94 |
| Joint session for election of | 107 |
| Nominations | 109 |
| Roll-call | 110 |
| Announcement of vote | 111 |
| Declaration of election | 112 |
| Address of S. M. White | 112 |
| SEYMOUR, E. C. Appeared and qualified | 1 |
| Appointed on committees | 23, 24 |
| Bills introduced | 43, 56, 62, 68, 74, 85, 87, 90, 170, 209, 300, 312, 333, 446 |
| Leave of absence | 65, 536, 667, 956 |
| Resolutions | 171, 497, 513, 599, 1093 |
| SHIPPEE, W. A. Appointed on committees | 23, 24 |
| Bills introduced | 35, 68, 73, 90, 116, 249 |
| Leave of absence | 82, 244 |
| Petitions | 309 |
| Protest | 785 |
| Resolutions | 9, 283, 926 |
| SIMPSON, WILLIAM. Appointed on committees | 23, 1157 |
| Bills introduced | 44, 45, 67, 75, 85, 116, 277, 594 |
| Leave of absence | 698, 730 |
| Resolutions | 6, 513 |
| SLACK, CHARLES W. Nominated Regent of University | 353 |
| Confirmed | 370 |
| SOUTHWORTH, J. O. Nominated Trustee of Stockton Insane Asylum | 353 |
| Confirmed | 372 |
| STREETER, H. M. Appointed on committees | 15, 23, 191 |
| Bills introduced | 44, 74, 85, 210, 334 |
| Leave of absence | 291, 627, 798, 915, 1016 |
| Resolutions | 8, 18, 19, 22, 59, 180, 229, 308, 466, 528, 1095 |

T

| | |
|--|-----|
| THORNTON, ARTHUR. Nominated Trustee Stockton Insane Asylum | 353 |
| Confirmed | 371 |

V

| | |
|---|---|
| VOORHEIS, E. C. Appointed on committees | 23, 24 |
| Bills introduced | 44, 45, 46, 74, 77, 89, 163, 190, 246, 288, 332, 361, 378, 418, 468, 469, 517, 553, 559, 596, 618, 690, 691, 714, 969, 1086 |
| Leave of absence | 82, 320, 735, 943 |
| Petitions | 201, 870 |
| Resolutions | 8, 9, 11, 22, 24, 47, 64, 71, 93, 95, 114, 278, 281, 303, 314, 378, 618, 690, 710, 714, 744, 811, 847, 857, 873, 927, 968, 985, 990, 1090, 1022, 1086, 1125, 1148, 1154 |

W

| | |
|---|--|
| WHITE, S. M. Election of as United States Senator | 110 |
| Address of | 112 |
| WHITEHURST, L. A. Appeared and qualified | 1 |
| Appointed on committees | 23, 24 |
| Bills introduced | 44, 68, 85, 90, 117, 163, 208, 276, 446 |
| Leave of absence | 2, 244 |
| Petitions | 871, 911 |
| Resolutions | 392, 914 |
| WIARD, W. F. Nominated member state Board of Health | 374 |
| Confirmed | 374 |
| WILLIAMS, GEO. H. Appointed on committees | 23, 24, 616 |
| Bills introduced | 45, 56, 59, 68, 78, 85, 118, 186, 209, 313, 403, 447, 492, 595 |
| Leave of absence | 620, 933 |
| Resolutions | 391, 811, 1086 |
| WILSON, H. C. Appointed on committees | 15, 23, 24 |
| Bills introduced | 45, 54, 57, 73, 250, 419 |
| Leave of absence | 280, 309 |
| Resolutions | 637, 1115 |
| WOOD, W. S. Nominated Trustee Feeble-Minded Home | 48 |
| Confirmed | 51 |

INDEX TO SENATE BILLS.

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 1 | An Act requiring city, city and county, or town authorities to exact and require from persons or corporations seeking permission and authority to lay railroad tracks through streets, or public highways, of any incorporated city, city and county, or town, a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government, at all times while engaged in the actual discharge of duty, to ride on the cars of such railroad without paying fare, and to make such promise and undertaking a condition precedent to the granting of such permission and authority by such governing Board. Arms ----- | 32 | 216 | 633 |
| 2 | An Act to increase the number of Judges of the Superior Court of Santa Clara County, State of California, and for the appointment of such additional Judge. Bailey ----- | 32 | | |
| 3 | An Act establishing a commission for the revision of the laws. Bailey ----- | 32 | | |
| 4 | An Act to establish and provide for an Industrial School for Girls, and make appropriations therefor. Bailey ----- | 32 | 740 | |
| 5 | An Act providing for the selection, condemnation, and purchase of a suitable site, and the erection thereon of a State building, in San Francisco, and making an appropriation therefor. Biggy ----- | 32 | 420 | 842 |
| 6 | An Act to appropriate money for the erection of a State Hospital for Lepers. Broderick ----- | 32 | 293 | |
| 7 | An Act to authorize Boards of Health and Health Officers in towns, cities, counties, and cities and counties, in this State, to appoint Inspectors of Plumbing and Drainage in such towns, cities, counties, and cities and counties, and to provide for the compensation, and to define the duties of such inspectors. Broderick ----- | 32 | 539 | 1145 |
| 8 | An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having 100,000 inhabitants, and over that number; providing how such inspectors shall be appointed and designated as officers of such municipality, and prescribing the duties and fixing the compensation of such inspectors. Broderick ----- | 33 | 197 | 1099 |
| 9 | An Act to declare certain tide lands public grounds, and granting the same to the county of San Mateo in trust for the use of the public. Burke ----- | 33 | 196 | 602 |
| 10 | An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Burke ----- | 33 | | |
| 11 | An Act to amend Section 60 of an Act entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, relating to setting apart exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of the hearing of the application therefor. Burke ----- | 33 | 196 | 632 |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------------|---|------------|---------------|-----------------|
| 12 | An Act to amend Section 274 of an Act entitled "An Act to establish a Code of Civil Procedure," relating to the duties and compensation of Court reporters, and to add a new section to said Act, to be known as Section number 274½, providing for the appointing of reporters pro tempore in any action. Burke..... | 33 | | |
| 13 | An Act to create a State Board of Funeral Directors, to prescribe its powers and duties, to regulate the practice of undertaking and funeral direction, and to more effectually protect the people against contagious diseases. Burke | 33 | 905 | |
| 14 | An Act to regulate the rate of interest in this State. Campbell.. | 33 | | |
| 15 | An Act regulating the hours of labor in saw mills, shingle mills, shake mills, and logging camps. Campbell | 33 | | |
| 16 | An Act to prohibit prize fighting and pugilistic sport. Campbell.. | 33 | | |
| 17 | An Act to provide for the appointment, by the Supreme Court, of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary therefor, to assist said Court in the performance of its duties and in the disposition of numerous causes pending in said Court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor. Carpenter..... | 33 | 115 | 194 |
| 18 | An Act to amend Section 1505 of an Act entitled "An Act to establish a Penal Code," approved February 14, A.D. 1872, the same being in relation to writs of habeas corpus. Carpenter.. | 34 | | |
| 19 | An Act to amend Section 1243 of the Penal Code of the State of California, relative to the stay of the execution of the judgment in criminal cases pending an appeal to the Supreme Court. Carpenter..... | 34 | 576 | |
| 20 | An Act to amend Section 1368 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, relating to estates of deceased persons. Carpenter | 34 | 197 | 633 |
| 21 | An Act to create the office of Commissioner of Horticultural Statistics, and to appropriate money for his salary and expenses. Carpenter (by request)..... | 34 | | |
| 22 | An Act to provide for the completion and equipment of the Deaf, and Dumb, and Blind Asylum, and to make an appropriation therefor. Denison..... | 34 | 289 | 944 |
| 23 | An Act to amend Sections 276 and 277 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, in relation to the admission of attorneys and counselors at law. Carpenter..... | 34 | | |
| 24 | An Act to provide two additional Judges of the Superior Court of the county of Alameda. Denison | 34 | 181 | 345 |
| 25 | An Act to amend Section 581 of the Code of Civil Procedure, in relation to dismissal of actions. Denison (by request) | 34 | | |
| 26 | An Act to prevent corrupt practices in elections, and to provide for publicity in election expenses. Earl..... | 34 | | |
| 27 | An Act to amend Section 1426 of the Political Code, relating to the appointment of members of Board of Regents of University of California. Earl | 34 | 905 | |
| 28 | An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry for the thirty-eighth, forty-second, and forty-third fiscal years. Earl..... | 34 | 393 | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly |
|--------|---|------------|----------------|-----------------|
| 29 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Earl..... | 35 | | |
| 30 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Earl..... | 35 | | |
| 31 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Earl..... | 35 | | |
| 32 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Earl..... | 35 | | |
| 33 | An Act to provide for organizing, establishing, and maintaining paid fire departments within cities and towns, and cities and counties, in the State of California, to be under the control and supervision of a Board of Fire Commissioners. Fay..... | 35 | | |
| 34 | An Act to provide for furnishing clerks and copyists to the County Clerk of each city and county having 100,000 or more inhabitants, and providing the mode in which such clerks and copyists shall be appointed and designated as officers of the city and county, and establishing the compensation of such clerks and copyists. Fay..... | 35 | | |
| 35 | An Act to provide and regulate the manner of making payment of fees, commissions, percentage, and other compensation for official service, and of fines, penalties, and the like imposed. Fay..... | 35 | 765 | 907 |
| 36 | An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns and township buildings in the several counties, cities and counties, cities, and towns throughout the State of California," approved March 11, 1891. Fay..... | 35 | 362 | 767 |
| 37 | An Act to amend Section 10 of "An Act to create a Police Court in and for the city and county of San Francisco, State of California," approved March 5, 1889. Fay..... | 35 | | |
| 38 | An Act to appropriate money for the support of persons in indigent circumstances afflicted with incurable diseases. Fay.... | 35 | 768 | 858 |
| 39 | An Act to amend Section 172 of an Act entitled "An Act to establish a Civil Code," relating to the husband's control and disposition of the community property. Fay..... | 36 | | |
| 40 | An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment or seawall of the port of San Francisco. Fay..... | 36 | 600 | 908 |
| 41 | An Act to amend Sections 3636, 3746, 3750, 3751, 3756, 3758, 3764, and 3785 of the revenue laws of the State of California. Fay..... | 36 | | |
| 42 | An Act to amend Section 4392 of the Political Code of the State of California, relating to the duties of City Treasurers. Flint.. | 36 | 195 | |
| 43 | An Act appointing Sheriffs and Constables Game and Fish Wardens, and giving Justices of the Peace additional powers in cases of arrests for violation of the game and fish laws. Flint.. | 36 | 932 | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|------------------|---|------------|---------------|---------------------------|
| 44 | An Act to amend Section 635 of the Penal Code of the State of California, in relation to violation of the fish laws. Flint | 36 | 931-2 | |
| 45 | An Act to amend Section 636 of the Penal Code of the State of California, in relation to violations of the fish laws. Flint | 36 | | |
| 46 | An Act to amend Sections 626 and 631 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to fish and game. Flint | 36 | | |
| 47 | An Act to amend an Act entitled "An Act to prevent hunting and shooting on private inclosed grounds, and the destruction of growing timber on private grounds, in certain counties of the State." Flint | 36 | 196 | |
| 48 | An Act to cede jurisdiction to the United States over certain lands. Flint | 37 | 498 | 1095 |
| 49 | An Act to appropriate money for the erection of a monument at Donner Lake, Nevada County, California, to the memory of the Donner party. Ford | 37 | 281 | 477 |
| 50 | An Act to amend the Civil Code by adding thereto two sections, to be known as Sections 1424 and 1425, being Title IX, Part IV, Division 2 of said Code, concerning the manner of conducting the business of hydraulic mining. Ford | 37 | 388 | 824 |
| 51 | An Act to add a new section to the Political Code, to be numbered 3819, relating to the payment of taxes under protest and the right of action to recover taxes so paid. Ford (by request) | 37 | | |
| 52 | An Act to amend Sections 204, 205, 206, and 208 of the Code of Civil Procedure of the State of California, relating to the manner of selecting grand and trial jurors. Gesford | 37 | | |
| 53 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Gesford | 37 | | |
| 54 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Gesford | 37 | | |
| 55 | An Act to amend Section 1107 of the Civil Code of the State of California. Gesford | 37 | 294 | |
| 56 | An Act appropriating money to pay the claim of Jerome Deasy, for arresting A. P. Clark, a fugitive from justice, and bringing said A. P. Clark from Victoria, B. C., to California, under extradition papers, said A. P. Clark being charged with the crime of forgery. Everett | 37 | 900 | |
| 57 | An Act to amend Sections 6 and 9 of the Insolvent Act of 1880, of the State of California, relating to the orders of Court to be made upon filing petitions in insolvency. Gesford | 37 | | |
| 58 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Gesford | 37 | | |
| 59 | An Act to amend Section 267 of the Penal Code of the State of California, relating to the crime of abduction. Gesford | 37 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 60 | An Act to amend Section 537 of the Penal Code of the State of California, and to renumber said sections, relating to defrauding proprietors or managers of hotels, inns, restaurants, boarding houses, and lodging houses. Gesford..... | 38 | 801 | |
| 61 | An Act to prevent persons from entering upon the inclosed lands of another for the purpose of shooting or hunting, or fishing, or discharging firearms thereon. Gesford..... | 38 | | |
| 62 | An Act to amend Section 2691 of the Political Code of the State of California, relating to roads and highways. Gesford..... | 38 | 263 | 672 |
| 63 | An Act to amend Section 2955 of the Civil Code of the State of California, relating to mortgages of personal property. Gesford..... | 38 | | |
| 64 | An Act to amend Section 987 of the Penal Code of the State of California, relating to the appointment of counsel in criminal cases, and providing for their compensation. Gesford..... | 38 | 731 | |
| 65 | An Act to provide for the purchase of a residence for the Governor of California, and to appropriate money therefor. Hart..... | 38 | | |
| 66 | An Act making an appropriation for the relief of F. Marion Wells. Hart..... | 38 | 1057 | 1136 |
| 67 | An Act to amend "An Act relative to the non-insurance of property belonging to the State against risk of damage or destruction by fire," approved March 10, 1891. Hart..... | 38 | 850 | |
| 68 | An Act to pay the claim of George Nelson against the State of California. Hart..... | 38 | | |
| 69 | An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State. McAllister..... | 38 | | |
| 70 | An Act to amend Section 1770 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools. McAllister..... | 38 | | |
| 71 | An Act to prevent deception in the manufacture and sale of butter and cheese, and to appropriate money for its enforcement. McGowan..... | 38 | | |
| 72 | An Act to provide for a day of rest from labor. Maher..... | 39 | 365 | 481 |
| 73 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 3244, relating to eight hours' labor. Maher..... | 39 | | |
| 74 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be known as Section 3245½, relating to the payment of persons employed under the provisions of Section 3245 of said Political Code. Maher..... | 39 | 1066 | 1066 |
| 75 | An Act to amend Sections 307, 312, and 314 of the Civil Code. Maher..... | 39 | | |
| 76 | An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891. Maher..... | 39 | 459 | 699 |
| 77 | An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891. Mahoney..... | 39 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------------|--|------------|---------------|-----------------|
| 78 | An Act to limit the time within which franchises or privileges for the construction, extension, or operation of street railroads may be granted by Boards of Supervisors of the several counties, and cities and counties of this State. Mahoney..... | 39 | | |
| 79 | An Act to amend Section 10 of an Act to create a Police Court in and for the City and County of San Francisco, State of California, approved March 5, 1889. Mahoney..... | 39 | | |
| 80 | An Act to provide for increasing the efficiency of paid fire departments within municipalities in the State of California. Mahoney | 39 | 281 | 671 |
| 81 | An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding thereto a new section, to be known and numbered as Section 308, relating to the sale and use of opium and any preparation thereof. Mahoney | 39 | | |
| 82 | An Act relating to telephone companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon. Mahoney | 39 | | |
| 83 | An Act to define express companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon. Mahoney | 39 | | |
| 84 | An Act to amend Sections 628 and 630 of an Act of the Legislature of the State of California, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to gas corporations. Mahoney..... | 40 | | |
| 85 | An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the City and County of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department No. 4, and the appointment of a suitable person to act as Judge of said Court. Mahoney..... | 40 | | |
| 86 | An Act regulating the charges of telephone companies, and of corporations and individuals operating telephones and telephone lines. Mahoney | 40 | | |
| 87 | An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty thereof. Mahoney..... | 40 | | |
| 88 | An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by amending Section 628 of the Penal Code, relating to the laws for the preservation of game birds and animals. Mahoney | 40 | | |
| 89 | An Act to amend Sections 307 and 312 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the better protection of stockholders of corporations, and providing a penalty for the violation of the provisions thereof. Mahoney (by request) | 40 | | |
| 90 | An Act for the better protection of the stockholders of corporations doing business in the State of California, formed for any purpose whatsoever. Mahoney..... | 40 | | |
| 91 | An Act to amend Section 3442 of the Civil Code of the State of California. Gesford | | | |
| 92 | An Act to amend Sections 332 and 342 of the Civil Code, relative to assessments and sale of the stock of corporations. Mahoney | 40 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed a second time |
|--------|---|------------|----------------|----------------------|
| 93 | An Act to amend Sections 2 and 5 of "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and amend the existing Acts in relation thereto," approved March 14, 1889. Mathews | 40 | 326 | 518 |
| 94 | An Act amending Section 124 of the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, and adding to the Political Code two new sections, to be known and designated, respectively, as Sections 3640 and 4260 of the Political Code, relative to transfers of real estate and interests therein upon the county assessment books. Mathews | 41 | | |
| 95 | An Act to repeal an Act entitled "An Act to increase the number of Judges of the Superior Court of the county of Los Angeles, State of California, and for the appointment of such additional Judges," approved March 11, 1889, and to reduce the number of Judges of said county from six to four. Mathews. | 41 | | |
| 96 | An Act to provide for the construction and furnishing of an additional school building for the use of the State Normal School at Los Angeles, California, and to appropriate money therefor. Mathews | 41 | 615 | 907 |
| 97 | An Act to amend Section 43 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, as amended by an Act approved March 17, 1891, which added Section 43 to said original Act. Mathews. | 41 | | |
| 98 | An Act to provide for the publication of monthly statements, by the Auditor, of county indebtedness. Mathews | 41 | | |
| 99 | An Act to provide for the publication of monthly statements of city indebtedness. Mathews | 41 | | |
| 100 | An Act adding a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, to be known and designated as Section 91½, and amending Sections 71, 72, and 115 of said Act, and Section 3890 of the Political Code, the purpose of this Act being to consolidate the offices of Tax Collector and County Treasurer under the name of County Treasurer. Mathews. | 41 | | |
| 101 | An Act making an appropriation to pay the claim of D. Jordan, as approved by State Board of Examiners. Mitchell | 41 | 538 | 893 |
| 102 | An Act to amend the Penal Code by adding a new section thereto, to be numbered 593, relating to the destruction of trees growing on highways. Orr | 42 | 885 | |
| 103 | An Act to amend Section 1763 of the Code of Civil Procedure. Orr | 42 | 436 | |
| 104 | An Act to amend Sections 1596, 1599, and 1602 of the Political Code, and to add a new section thereto, to be known as Section 1603, relating to the election of School Trustees. Orr | 42 | 970 | |
| 105 | An Act to prevent the use of fraudulent marks on merchandise. Orr | 42 | 484 | 1142 |
| 106 | An Act to provide for the publication and sale of an abridgment of the reports of the State Board of Horticulture, and making an appropriation of money to pay for the same. Orr | 42 | | |

| Number | TITLE. | Introduced. | Passed Senate. | Passed Assembly. |
|--------|---|-------------|----------------|------------------|
| 107 | An Act to appropriate \$10,000, for the purpose of sending an expert to foreign countries to collect and import into this State parasites and predaceous insects. Orr..... | 42 | 615 | |
| 108 | An Act to amend Section 2168 of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to common carriers. Mahoney..... | 42 | | |
| 109 | An Act providing for the punishment of pools, trusts, and conspiracies to control prices, and as to evidence and prosecution in such cases. Ostrom..... | 42 | 699 | 1106 |
| 110 | An Act to promote the purity of elections. Ostrom..... | 42 | | |
| 111 | Relative to the sale of imitation butter. Ragsdale..... | 42 | | |
| 112 | Relative to proof and acknowledgment of instruments. Ragsdale..... | 42 | | |
| 113 | An Act to appropriate money to prevent the introduction of contagious diseases. Ragsdale..... | 42 | 293 | 1080 |
| 114 | Relative to sale of live stock. Ragsdale..... | 42 | 258 | 446 |
| 115 | An Act to amend Section 362 of the Civil Code, relative to amending articles of incorporation. Ragsdale..... | 42 | 730 | 893 |
| 116 | Relative to mutual insurance companies. Ragsdale..... | 43 | 465 | 980 |
| 117 | Relative to the sale of olive oil. Ragsdale..... | 43 | | |
| 118 | An Act for the relief of the widow of Alfred P. Crigler. Ragsdale..... | 43 | | |
| 119 | An Act to change the name of the Mendocino State Asylum for the Insane to "Mendocino Asylum." Seawell..... | 43 | | |
| 120 | An Act to appropriate \$251,450 for the erection of an administration building for the Mendocino State Asylum for the Insane; to complete the female ward; to purchase furniture and furnish the buildings erected and to be erected by the Directors of said asylum; to construct a plant for lighting said buildings; to improve the grounds thereof; to purchase live stock and agricultural implements to be used for asylum purposes; to construct a carpenter shop and morgue thereon; to furnish the bakery; to construct a dam to furnish a water supply to said asylum; for fencing the ground and constructing yard fencing; for constructing a sewer system; for purchasing laundry machinery and kitchen furniture; to appropriate money therefor and provide for the expenditure of the same. Seawell..... | 43 | 430 | 709-10 |
| 121 | An Act to amend Sections 8, 10, and 11 of an Act entitled "An Act to establish a Branch Insane Asylum for the Insane of the State of California at Ukiah, to be known as the 'Mendocino State Insane Asylum,' and appropriating money therefor," approved February 20, 1889. Seawell..... | 43 | 1137 | |
| 122 | An Act entitled an Act to appropriate money to pay the claims of McGowan and Butler for building retaining walls to "The Mendocino State Asylum for the Insane," for grading and terracing the grounds thereof, and for constructing a drainage and sewer system in and about the buildings, which work was performed on and material furnished said asylum under contracts with the Board of Directors of said asylum. Seawell... | 43 | 394 | 767 |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 123 | An Act to provide for opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire all land and property necessary or convenient for such purposes. Seawell | 43 | 821 | 1090 |
| 124 | An Act to amend Section 680 of the Political Code, in relation to the investment of school funds, and validating bonds purchased therewith. Seymour | 43 | | |
| 125 | An Act to abolish commissions, or fees, paid by the State for the assessment, equalization, auditing, and collection of ad valorem taxes. Seymour | 44 | 343 | 437 |
| 126 | An Act making an appropriation to pay Charles Phipps for services rendered as assistant to the Secretary of the State Board of Examiners from February 15, 1891, to March 21, 1891. Seymour | 44 | | |
| 127 | An Act entitled an Act to amend Section 2955 of the Civil Code, relating to mortgages of personal property. Seymour | 44 | | |
| 128 | An Act authorizing the incurring of indebtedness and issuance of bonds by cities, towns, and municipal corporations incorporated under the laws of this State. Simpson | 44 | 1011 | |
| 129 | An Act entitled "An Act to amend an Act to repeal Sections 639, 640, 641, 642, 643, 644, 645, and 647 of the Civil Code, and to add seventeen new sections to said Civil Code, providing for the formation and government of mutual building and loan associations." Simpson | 44 | | |
| 130 | An Act to amend Section 103 of the Code of Civil Procedure of the State of California, relating to Justices' Courts. Simpson. | 44 | | |
| 131 | An Act to form Riverside County, classify it, define its boundaries, provide for its organization, and the appointment, election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such county and certain other counties. Streeter | 44 | 368 | 694 |
| 132 | An Act to appropriate money for the completion of the building of the Preston School of Industry at Ione, and for furnishing and equipping the same. Voorheis | 44 | 195 | 552 |
| 133 | An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and amended March 10, 1887. Voorheis | 44 | | |
| 134 | An Act to establish a uniform system of mine bell signals, to be used in all mines operated in the State of California, and for the protection of miners. Voorheis | 44 | 114 | 602-3 |
| 135 | An Act making an appropriation to pay the deficiencies in the appropriation for costs and expenses of suits in which the State is a party in interest, for the fortieth, forty-first, forty-second, and forty-third fiscal years. Voorheis (by request) | 44 | | |
| 136 | An Act to amend Section 537 of the Penal Code of the State of California, relating to defrauding proprietors and managers of hotels, inns, restaurants, boarding houses, and lodging houses. Whitehurst | 44 | 391 | 945 |
| 137 | An Act to establish Board of Parole-Commissioners for the parole of and government of paroled prisoners. Williams | 45 | | |

| Number . . . | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------------|--|------------|---------------|-----------------|
| 138 | An Act relating to interest and usury. Wilson | 45 | 836 | |
| 139 | An Act to amend Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Simpson | 45 | | |
| 140 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Earl | 53 | | |
| 141 | An Act to retire teachers of the public schools of the State of California upon partial pay. Hart (by request) | 53 | 963 | |
| 142 | An Act to amend Section 751 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the duties of the Clerk of the Supreme Court. Hart | 54 | | |
| 143 | An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending Section 1970, relating to the responsibility of employers. Hart | 54 | | |
| 144 | An Act to provide for additional improvements and repairs at the Napa State Asylum for the Insane, and making an appropriation therefor. Gesford | 54 | | |
| 145 | An Act to amend Section 692 of an Act entitled "An Act to establish the Code of Civil Procedure of California," approved January 1, 1873. Seawell | 54 | 505 | |
| 146 | An Act to amend Section 6 and Section 8 of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever," and to repeal the Act approved March 9, 1885, entitled "An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks;" also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State." Ragsdale | 54 | | |
| 147 | An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association," approved March 7, 1883, providing for the increase in the annual appropriation therefor, and changing the time for the payment thereof. Ragsdale | 54 | 932 | 1129 |
| 148 | An Act to appropriate the sum of \$50,000 for the erection, completion, and furnishing of buildings, laundry, and bath house, and for improvement of the grounds, heating and cooking apparatus, and water supply at the Veterans' Home, situated in Napa County, under the auspices of the Veterans' Home Association of the State of California. Ragsdale | 54 | 1146 | 1152 |
| 149 | An Act to amend Sections 2, 5, 7, and 10 of an Act entitled "An Act to establish free public libraries." Ragsdale | 54 | 458 | 822 |
| 150 | An Act to amend Section 3751 of the Political Code of this State, relating to revenue and taxation. Denison | 54 | | |
| 151 | An Act to provide for the leasing and disposition of water for mechanical and other purposes by irrigation districts organ- | | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------------|--|------------------|---------------------|-----------------------|
| | ized under and pursuant to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887. Seymour..... | 55 | | |
| 152 | An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Sections 3, 4, 11, 12, 36, and 37 thereof, and by repealing Section 41 thereof. Seymour..... | 55 | | |
| 153 | An Act to amend an Act entitled "An Act to establish a Political Code," by amending Section 680 thereof. Seymour..... | 55 | | |
| 154 | An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Section 17 thereof. Seymour..... | 55 | | |
| 155 | An Act to add a new section to the Penal Code, to be known and numbered Section 655, relating to dealing in options. Wilson..... | 55 | 487 | |
| 156 | An Act to amend Section 1904 of an Act to establish a Political Code, approved March 12, 1872, approved March 20, 1889, relating to elections. Berry | 55 | 833 | |
| 157 | An Act to amend Section 2643, and to repeal Section 2646 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of public highways. Berry | 55 | 674 | 888 |
| 158 | An Act to amend Subdivision 23 of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 14, 1883, as amended March 14, 1885, March 18, 1885, March 17, 1887, and March 16, 1889, which subdivision provides for advertising for bids for stationery for the use of the county and its officers, and provides the method of procuring blank books, job printing, and other supplies necessary for the use of the county and its officers. Berry | 55 | | |
| 159 | An Act in relation to reassessments of property, and the equalization of the same, in cases where a former assessment is invalid or void, and in relation to the collection of taxes on said reassessment. Berry | 55 | | |
| 160 | An Act making an appropriation to pay the claim of "The California Spirit of the Times" for advertising the election proclamation in the forty-second fiscal year. Williams | 56 | 366 | 964 |
| 161 | An Act for the creation of a Commission for the promotion of uniformity of legislation in the United States. Burke | 56 | | |
| 162 | An Act to encourage fiber culture. Langford..... | 56 | | |
| 163 | An Act to amend Sections 2955 and 2956 of the Civil Code, in relation to mortgages of personal property. McAllister..... | 56 | | |
| 164 | An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 17, 1887, providing for the disorganization of irrigation districts. Seymour..... | 56 | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 165 | An Act to amend Section 1261 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872 relating to the compensation of attorneys. McGowan..... | 56 | 498 | |
| 166 | An Act authorizing the formation of county mutual insurance companies, to regulate the business of those companies, and defining the duties of the officers thereof. McGowan..... | 56 | 495 | 512 |
| 167 | An Act to amend Section 275 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872 relating to the admission of attorneys and counselors at law. McGowan..... | 56 | | |
| 168 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as Section 300, determining who shall practice law in the several Courts of this State. McGowan..... | 56 | | |
| 169 | An Act to amend Section 276 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to and prescribing the qualifications of attorneys and counselors at law. McGowan..... | 56 | | |
| 170 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known and numbered as Section 300, determining who shall practice law in the several Courts of this State. McGowan..... | 57 | | |
| 171 | An Act providing for the sale of railroad franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof shall take effect. Broderick..... | 57 | | |
| 172 | An Act for the relief of Peter E. Farrell, and to appropriate money therefor. Maher..... | 59 | | |
| 173 | An Act authorizing appropriations for the purchase of jute machinery and the erection of buildings for the manufacture of jute goods for the State Prison at Folsom, and other purposes, and relating thereto, and providing for fixing the price at which jute goods shall be sold by the State. Ostrom..... | 59 | | |
| 174 | An Act fixing the price and conditions of sale at which jute goods shall be sold by the State. Ostrom..... | 59 | 244 | 613 |
| 175 | An Act authorizing the State Board of Prison Directors to establish a cordage factory at the Folsom State Prison, and making an appropriation therefor. Williams..... | 59 | | |
| 176 | An Act to amend Sections 1187 and 1189 of the Civil Code of the State of California, and to enact two new sections of said Civil Code, numbered, respectively, 1186 and 1191, relating to the acknowledgment of conveyances by married women. Fay..... | 61 | | |
| 177 | An Act to provide for the erection of an additional wing to the Board Building of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, for the Female Department of said institution, and to appropriate money therefor. Ragsdale..... | 61 | 242 | 671 2 |
| 178 | An Act to provide for the improvement of the grounds of the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and to appropriate money therefor. Ragsdale..... | 61 | | |

| Number | TITLE. | Introduced ... | Passed Senate. | Passed Assem-
by |
|--------------|---|----------------|----------------|---------------------------|
| 179 | An Act to provide furniture for furnishing the California Home for the Care and Training of Feeble-Minded Children, at Glen Ellen, Sonoma County, California, and making an appropriation therefor. Ragsdale | 61 | | |
| 180 | An Act to appropriate money to pay the claim of Mrs. Catherine Boyle, administratrix of the estate of James H. Boyle, deceased, to reimburse her for money paid for school land for which the State can give no title. Ford | 62 | | |
| 181 | An Act to provide for the organization, incorporation, and government of towns. Carpenter | 62 | | |
| 182 | An Act to amend Section 3009 of the Political Code of the State of California, relating to the appointment of certain officers and employes by the Board of Health of the City and County of San Francisco. Dunn | 62 | 255 | 1097 |
| 183 | An Act to amend an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose." Maher | 62 | 821 | 1090 |
| 184 | An Act to amend an Act entitled "An Act to amend Sections 10 and 134 of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to legal holidays and non-judicial days," approved March 1, 1889. Maher | 62 | 437 | 1030 |
| 185 | An Act to amend an Act of the Legislature of the State of California entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880, by adding one new section thereto, to be known as Section 6a, providing for qualification to vote for assignee; to amend Section 15 of said Act, providing for election of assignee; and to amend Section 55 of said Act, touching fraudulent preferences and transfers. Hart | 62 | | |
| 186 | An Act to amend Section 1444 of the Code of Civil Procedure, in relation to appraisements of estates of deceased persons. Ostrom | 62 | 459 | 1020 |
| 187 | An Act empowering Boards of Supervisors to appoint experts, and fixing their compensation. Seymour | 62 | | |
| 188 | An Act making an appropriation to pay the claim of Major José Ramon Pico for expenses incurred in recruiting and maintaining military companies. Seymour (by request) | 62 | | |
| 189 | An Act to create the county of Putnam, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers. Harp (by request) .. | 62 | | |
| 190 | An Act to create the county of Buena Vista, to establish the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers. Harp (by request) | 63 | | |
| 191 | An Act to amend Section 410 of the Code of Civil Procedure, relative to the manner of serving summons and complaint. Burke (by request) | 63 | 460 | 1108 |
| 192 | An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the powers and duties of Boards of Supervisors. McGowan | 63 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 193 | An Act to enfranchise the women citizens of this State, and prescribing their qualifications as electors. McGowan..... | 63 | 835 | 1068 |
| 194 | An Act to enfranchise the women citizens of the State, and prescribing their qualifications as electors. McGowan..... | 63 | | |
| 195 | An Act to enfranchise the women citizens of this State, and to prescribe their qualifications as electors. McGowan..... | 63 | | |
| 196 | An Act to amend Section 3866 of the Political Code, relating to settlements with the State. Berry..... | 63 | | |
| 197 | An Act to amend Section 3868 of the Political Code, relating to the report of County Auditors. Berry..... | 63 | | |
| 198 | An Act to create the county of Madera, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county. Goucher..... | 66 | 387 | 695 |
| 199 | An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to provide for the expenses thereof," approved March 3, 1885. Langford..... | 67 | 279 | 1096 |
| 200 | An Act providing for the presentation and cancellation of unlocated school land warrants of the State of California, issued under the Act of the State of California, approved May 3, 1852, providing for the disposal of the 500,000 acres of land donated to the State of California by the Government of the United States, and authorizing the Controller of this State to draw his warrant on the State Treasurer for the sum of \$2 per acre in favor of any bona fide owner and holder of any such land warrant, for every acre represented by any such land warrant. Langford..... | 67 | 215 | 799 |
| 201 | An Act to provide for certain improvements in the State Insane Asylum at Stockton, California, and making an appropriation therefor. Langford..... | 67 | 614 | 1098 |
| 202 | An Act to provide for the purchase of apparatus and appliances for the protection of the buildings and property of the State Insane Asylum at Stockton, California, and making an appropriation therefor. Langford..... | 67 | 615 | 1098 |
| 203 | An Act to provide for the erection of a residence for the Medical Superintendent of the State Insane Asylum at Stockton, California, and making an appropriation therefor. Langford..... | 67 | | |
| 204 | An Act to provide for certain improvements at the State Insane Asylum at Stockton, California, and making an appropriation therefor. Langford..... | 67 | 614 | 1105 |
| 205 | An Act to provide for the payment, by the Board of Directors of the State Insane Asylum at Stockton, California, of certain sums of money for the paving of California Street, in the city of Stockton, county of San Joaquin, State of California, opposite the State Insane Asylum at Stockton, California, and for the construction of a concrete sidewalk along said street. Langford..... | 67 | 613 | 1125 |
| 206 | An Act making an appropriation to pay the deficiency in the appropriation for the support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years. Langford..... | 67 | 214 | 461 |
| 207 | An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation. Simpson..... | 67 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assem-
by |
|--------------|--|------------------|----------------|---------------------------|
| 208 | An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof. Denison .. | 68 | 793 | |
| 209 | An Act amending Sections 1577 and 1578 of the Code of Civil Procedure, relating to mortgages and leases in certain cases. Ford (by request) | 68 | 437 | |
| 210 | An Act to regulate the disposition of the hides of cattle killed or slaughtered in the State of California. Ford | 68 | 295 | 1029 |
| 211 | An Act to provide for the publication of the State Blue Book, or Roster. Campbell | 68 | 675 | 1141 |
| 212 | An Act authorizing the Controller and Treasurer to transfer to the General Fund all moneys now in the Election Reward Fund, the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5; and abolishing the Leprosy Fund, and Interest and Sinking Fund, Levee District No. 5. Flint | 68 | 366 | 437 |
| 213 | An Act to abolish the State Drainage Construction Fund, and directing the transfer of any balance remaining therein to the General Fund. Flint | 68 | | |
| 214 | An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883. Maher | 68 | 243 | 698 |
| 215 | An Act to amend an Act entitled "An Act to amend Section 7 of the Civil Code, relating to holidays," approved March 1, 1889. Maher | 68 | 436 | 1030 |
| 216 | An Act to amend Section 385 of the Code of Civil Procedure of the State of California, relating to bringing and continuance of actions and proceedings upon the death or disability of a party or person interested in certain causes of action. Maher | 68 | | |
| 217 | An Act to amend an Act entitled "An Act to amend Section 10 of the Political Code, relating to legal holidays," approved March 1, 1889. Maher | 68 | 436 | 1030 |
| 218 | An Act to amend Section 224 of the Civil Code, regarding the adoption of children. Mathews | 68 | 256 | 768 |
| 219 | An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphans' asylum in this State. Mathews | 68 | 259 | 792 |
| 220 | An Act to amend Section 374 of the Penal Code, relating to crimes against the public health. Whitehurst | 69 | 539 | 698-9 |
| 221 | An Act to make an appropriation to pay the claim of Henry Hogan for services rendered for the State Board of Fish Commissioners, as special attorney therefor during the year 1890. Gesford | 69 | 392 | 1094 |
| 222 | An Act making an appropriation for the erection of an additional building for the State Normal School at Chico. Shippee | 69 | 849 | |
| 223 | An Act making an appropriation for a fence in front of the grounds of the State Normal School building at Chico. Shippee | 69 | | |
| 224 | An Act making an appropriation for the construction of a cement floor in the basement of the State Normal School building at Chico. Shippee | 69 | 616 | |
| 225 | An Act to amend Sections 498 and 502 of an Act of the Legislature of the State of California entitled "An Act to establish a Civil Code," approved March 21, 1872. Mahoney | 69 | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 226 | An Act for the relief of George Dougherty. Williams | 69 | | |
| 227 | An Act entitled an Act to pay the claim of Sands W. Forman for services as Secretary of the State Board of Forestry, and appropriating the sum of \$375 to pay such claim. Seawell | 69 | | |
| 228 | An Act to amend Section 330 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, to prohibit gaming. Hoyt (by request) | 69 | | |
| 229 | An Act to compel savings banks to publish a sworn statement of all unclaimed deposits. Seymour | 69 | 435 | 792 |
| 230 | An Act to reinstate and reenact Section 3573 of the Political Code, relating to public lands. Seymour | 69 | 729 | 893 |
| 231 | An Act to provide for the payment of advertising the funded debt. Campbell | 72 | 616 | 935 |
| 232 | An Act to provide for the payment of advertising "Notice to all Chinese persons in the State of California." Campbell | 72 | 614 | 935 |
| 233 | An Act to provide for the payment for advertising of the constitutional amendments. Campbell | 72 | 708 | 964 |
| 234 | An Act appropriating \$250,000 for the erection of buildings for use of affiliated and other departments of the University of California. Gesford | 73 | | |
| 235 | An Act appropriating \$4,000 to pay for the system of heating and ventilating established in the Training Department of the State Normal School at San José, California. Bailey | 73 | | |
| 236 | An Act appropriating the sum of \$3,000 for furnishing the Training Department building of the State Normal School at San José, California. Bailey | 73 | | |
| 237 | An Act appropriating the sum of \$10,000 for supplying a system of heating and ventilating the State Normal School building at San José, California. Bailey | 73 | | |
| 238 | An Act to amend Section 3866 of the Political Code, relating to settlement with the Controller, and payment into the State Treasury. Shippee | 73 | | |
| 239 | An Act to provide for the payment for advertising the San Francisco Depot Act. Campbell | 73 | 616 | 936 |
| 240 | An Act to appropriate money for the care of grounds of the State Normal School at Chico. Shippee | 73 | | |
| 241 | An Act to appropriate money for improvement of grounds at the State Normal School at Chico. Shippee | 73 | | |
| 242 | An Act to appropriate money for the support of the Library and Museum of the State Normal School at Chico. Shippee | 73 | | |
| 243 | An Act to appropriate money for the support of the State Normal School at Chico. Shippee | 73 | | |
| 244 | An Act to appropriate money for the purchase of scientific apparatus for the State Normal School at Chico. Shippee | 73 | | |
| 245 | An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Voorheis | 73 | | |

| Number | TITLE. | Introduced. | Passed Senate. | Passed Assembly |
|--------------|---|-------------|----------------|-----------------------|
| 246 | An Act entitled "An Act to appropriate money to pay the claim of W. D. Crow for advertising the San Francisco Depot Act." Wilson (by request)..... | 73 | | |
| 247 | An Act to amend certain sections of the Political Code, relating to the State Board of Health. Earl (by request)..... | 73 | | |
| 248 | An Act to amend Section 792 of the Political Code of the State of California, relating to Notaries Public. Earl..... | 74 | | |
| 249 | An Act making an appropriation for the construction of a seawall, thoroughfare, and piers in the harbor of San Diego. Streeter..... | 74 | | |
| 250 | An Act appropriating money to pay the claim of W. H. Murray, his heirs or assigns. Maher..... | 74 | 538 | 1094 |
| 251 | An Act for the relief of Barnaby Dougherty. Broderick (by request)..... | 74 | 1140 | |
| 252 | An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year. Voorheis..... | 74 | | |
| 253 | An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year. Voorheis..... | 74 | | |
| 254 | An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Sections 15 and 30 thereof. Seymour..... | 74 | | |
| 255 | An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for reducing the bonded indebtedness thereof. Seymour..... | 74 | | |
| 256 | An Act to amend Section 3773 of the Political Code, relating to the sale of property and delinquent taxes. Seymour..... | 74 | | |
| 257 | An Act to amend Section 3762 of the Political Code, relating to the duties of County Auditors. Seymour..... | 74 | | |
| 258 | An Act to amend Section 3770 of the Political Code, relating to the duties of Tax Collectors. Seymour..... | 74 | | |
| 259 | An Act regulating the quality of gas manufactured and sold by any corporation or person, and fixing a forfeiture for failure to comply with the provisions of this Act. Mahoney..... | 74 | | |
| 260 | An Act making an appropriation to pay armory rents and other expenses of the Naval Battalion of the National Guard for the remainder of the forty-fourth fiscal year. Simpson..... | 75 | | |
| 261 | An Act to establish a Naval Battalion, to be attached to the National Guard of California. Simpson..... | 75 | | |
| 262 | An Act to amend Section 194 of the Code of Civil Procedure of the State of California, relating to jurors. Whitehurst..... | 75 | | |
| 263 | An Act to amend Sections 2436, 2440, and 2443 of Article V of the Political Code, relating to pilots and Pilot Commissioners, | | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
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| | and 2457, 2460, 2462, 2465, 2466, and 2467 of Article VI of the Political Code, relating to the pilot regulations for San Francisco, Mare Island, and Benicia. Goucher..... | 75 | | |
| 264 | An Act to amend Section 1881 of the Code of Civil Procedure, relating to witnesses. Carpenter..... | 75 | | |
| 265 | An Act to appropriate the sum of \$13,722 20 to pay the salary of the Commissioner of Immigration from October 10, 1885, to March 16, 1889. Goucher (by request)..... | 75 | | |
| 266 | An Act to provide for the payment of the sum of \$2,500 to Wm. H. Thornley, salary due him. Goucher (by request)..... | 75 | | |
| 267 | An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889. Voorheis | 77 | 294 | 516 |
| 268 | An Act providing for the sale of railroad and other franchises in municipalities, and fixing the time when certain acts of the governing bodies thereof, relative to franchises, shall take effect. Mathews..... | 77 | | |
| 269 | An Act authorizing and providing for the erection and furnishing of armories for the National Guard of the State of California, and to issue bonds for the payment of the same, and providing for the payment of said bonds. Mathews | 77 | | |
| 270 | An Act making an appropriation to pay the deficiency in the appropriation for official advertising for the forty-fourth fiscal year. Voorheis | 77 | | |
| 271 | An Act to form San Antonio County, classify it, define its boundaries, provide for its organization and the appointment and election of officers, the location of county seat by election, and the adjustment and fulfillment of certain rights and obligations arising between such new county and certain other counties. Bailey | 77 | | |
| 272 | An Act to amend Sections 258 and 259 of the Code of Civil Procedure, relative to the powers and duties of Court Commissioners. Mathews | 78 | | |
| 273 | An Act to amend Section 4161 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the deposit of public funds. Williams..... | 78 | | |
| 274 | An Act to amend Sections 1912, 1942, 1959, 1973, 1982, 1984, 1990, 1992, 2003, 2004, 2027, 2094, and to add three new sections, to be known as 1923, 1945, and 1981, all of the Political Code of the State of California, and relating to the National Guard. Everett..... | 78 | 301 | 743 |
| 275 | An Act to repeal Section 3818 of the Political Code, relating to preferred purchasers for lands sold to the State for taxes. Ragsdale | 78 | | |
| 276 | An Act to add a new section to the Penal Code of the State of California, to be designated as Section 402, relating to the duties of females employed in mercantile and manufacturing occupations. Earl | 78 | | |
| 277 | An Act to repeal an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and the Act amendatory thereof, approved February 8, 1889. Langford .. | 78 | | |

| Number | TITLE. | Introduced .. | Passed Senate. | Passed Assembly |
|--------------|--|---------------|----------------|-----------------------|
| 278 | An Act to amend Sections 778 and 782 of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal Sections 779, 780, and 781 of said Political Code. Ostrom | 78 | | |
| 279 | An Act to amend the Civil Code, by adding to Part IV, Division I, a new title, providing for the consolidation of colleges and institutions of higher education. Goucher | 78 | 258 | 363 |
| 280 | An Act to define labor corporations, and to provide for the incorporation, organization, and government thereof, and, as a part of the government thereof, to provide for the regulation of disputes to which labor corporations may be parties, by referring the same to a Board of Conciliation or Arbitration. Mathews | 79 | | |
| 281 | An Act making an appropriation to pay the deficiency in the appropriation for the support of the Reform School for Juvenile Offenders at Whittier, for the forty-third and forty-fourth fiscal years. Carpenter | 80 | 612 | 966 |
| 282 | An Act to amend an Act entitled "An Act in relation to foreign corporations," approved April 1, 1872. Carpenter | 80 | 1152 | |
| 283 | An Act to provide for the purchase of Supreme Court reports. McGowan | 80 | 612 | |
| 284 | An Act to amend Sections 55 and 68, and for the repeal of Section 75 of the Civil Code of the State of California, relating to the authentication of marriage. McGowan | 80 | 801 | |
| 285 | An Act to amend Section 1170 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872. McGowan | 81 | | |
| 286 | An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the disqualifications of Judges. McGowan | 81 | 700 | 1140 |
| 287 | An Act to regulate the trial of actions for a divorce. McGowan | 81 | 700 | |
| 288 | An Act making an appropriation for reimbursing J. V. Hicks, a citizen of California, for moneys expended by him in the extradition of one A. L. Gibbs, a fugitive from the justice of the State. Streeter | 84 | | |
| 289 | An Act to amend Section 172 of the Civil Code, relating to community property. Mathews | 84 | | |
| 290 | An Act to amend an Act approved March 20, 1891, entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880," and of all Acts amendatory thereof as are in conflict herewith, to fix the eligibility of Directors of said associations. Mathews | 84 | | |
| 291 | An Act to provide for laying out, opening, extending, widening, straightening, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose. Mahoney | 84 | 821 | 1090 |
| 292 | An Act to prohibit the employment of persons who are related by affinity or consanguinity to the chief or other officers of any | | | |

| Number | TITLE. | Introduced . | Passed Senate. | Passed Assem-
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| | department of the government of the State of California.
Mahoney | 84 | | |
| 293 | An Act to create the county of Kings, to define the boundaries thereof, and to provide for its organization and election of officers, and to classify said county. Seawell..... | 84 | | |
| 294 | An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties. McGowan..... | 84 | | |
| 295 | An Act to pay the claim of A. G. Lafferty against the State of California, for supplies furnished in fitting out Company A, First Battalion of Mountaineers. McGowan..... | 85 | | |
| 296 | An Act for the relief of Charles F. Wells, and to appropriate money therefor. Maher..... | 85 | 894 | |
| 297 | An Act making an appropriation to pay the claim of Santa Clara County against the State of California for Tax Collectors' commissions on taxes collected and paid to the State. Whitehurst | 85 | | |
| 298 | An Act to amend Section 862 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Simpson..... | 85 | | |
| 299 | An Act to amend Section 1238 of the Code of Civil Procedure, relating to eminent domain. Seymour..... | 85 | | |
| 300 | An Act to amend Section 3731 of the Political Code, relating to the duties of Auditors. Flint..... | 85 | | |
| 301 | An Act to amend Section 3805 of the Political Code, relating to duplicate assessments. Flint..... | 85 | | |
| 302 | An Act to amend Section 3881 of the Political Code, relating to errors, etc., on assessment roll, and the corrections thereof. Everett | 85 | 327 | |
| 303 | An Act to authorize the Assessors of counties, and cities and counties, having over 250,000 inhabitants, to appoint deputies, and to fix their salaries and compensation. Everett..... | 85 | | |
| 304 | An Act making an appropriation for the erection of buildings and for the purchase of machinery to be used in the manufacture of ice, to be used at the State Prison at Folsom. Everett | 85 | | |
| 305 | An Act to amend Section 626 of the Penal Code, relating to the laws for the preservation of game birds and animals. Williams..... | 85 | | |
| 306 | An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891. Campbell | 85 | | |
| 307 | An Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending Subdivision 13 of Section 167, relating to the fees of Justices of the Peace in counties of the fifth class. Hart.... | 86 | | |
| 308 | An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, by amending Subdivision 14 of Section 167 of said Act, relating to the fees of Constables in counties of the fifth class. Hart..... | 86 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly. |
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| 309 | An Act to provide for planting a row of trees around the Capitol grounds. Hart..... | 86 | 616 | |
| 310 | An Act to provide for the payment of the members and attachés of the Constitutional Convention. Hart..... | 86 | | |
| 311 | An Act to authorize the State Board of Silk Culture to make an exhibit at the World's Columbian Exposition, and to appropriate money therefor. Langford..... | 86 | | |
| 312 | An Act to amend Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the general permanent powers of Boards of Supervisors. Voorheis..... | 89 | | |
| 313 | An Act to provide a depository for the county funds. Ragsdale..... | 89 | | |
| 314 | An Act authorizing the State Board of Capitol Commissioners to appoint two extra employés for the Capitol grounds, in addition to the number now employed, and making an appropriation for payment of their services for the remainder of the forty-fourth fiscal year. Hart..... | 89 | 420 | |
| 315 | An Act making an appropriation to pay the deficiency in the appropriation provided by an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889. Hart..... | 89 | | |
| 316 | An Act to provide for paying for improving that portion of Tenth Street lying between L and N Streets, in the city of Sacramento, adjoining the State Capitol grounds, and for sundry work to the Capitol sidewalk and grounds, and making an appropriation therefor. Hart..... | 89 | | |
| 317 | An Act to prevent evil disposed persons from coming upon the State Prison grounds. Hart..... | 90 | | |
| 318 | An Act amendatory of and supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and providing for the dissolution and disorganization of irrigation districts organized under said Act. Shippee..... | 90 | | |
| 319 | An Act appropriating the sum of \$175,000 for the erection of additional buildings at Agnews for the use of the insane, to appropriate funds therefor, and to provide for the expenditure of the same. Whitehurst..... | 90 | | |
| 320 | An Act appropriating the sum of \$20,000 for the erection and construction of a sewer for the State Insane Asylum at Agnews, to appropriate money therefor, and to provide for the expenditure of the same. Whitehurst..... | 90 | 615 | 710 |
| 321 | An Act to attach a part of the territory comprising the county of San Diego to the county of San Bernardino. Seymour.... | 90 | | |
| 322 | An Act to create the county of San Jacinto, to define the boundaries thereof, to provide for its organization, and to determine the location of the county seat by election. Seymour..... | 90 | | |
| 323 | An Act to amend Section 1402 of the Civil Code, relating to the distribution of community property on the death of the husband. Langford..... | 90 | | |

| Number | TITLE | Introduced .. | Passed Senate | Passed Assembly |
|--------------|--|---------------|---------------|-----------------------|
| 324 | An Act to amend Sections 792 and 801 of the Political Code of the State of California, relating to the qualifications and liabilities of Notaries Public. Earl..... | 90 | | |
| 325 | An Act to add a new section, to be known as Section 802 of the Political Code, in regard to powers and duties of Notaries Public. Earl..... | 90 | | |
| 326 | An Act appropriating the sum of \$15,000 to defray the costs and expenses, and for the employment of associate counsel therein, of suits and legal proceedings to be commenced and prosecuted by the Attorney-General, in the name of the People of the State of California, to quiet the title to and for the recovery of the possession of the Oakland waterfront, San Antonio Creek, and its bays and estuaries, and the Alameda waterfront. Earl..... | 90 | | |
| 327 | An Act to appropriate money to pay the interest on State bonds belonging to the University of California until the State may elect to pay the principal of said bonds. Earl..... | 91 | | |
| 328 | An Act to amend Section 3607 of the Political Code of the State of California, relating to the exemption of State property from assessment by municipal and county governments. Earl..... | 91 | 970 | |
| 329 | An Act to amend Sections 272, 273, and 274 of the Code of Civil Procedure of the State of California. Carpenter..... | 91 | | |
| 330 | An Act in relation to proceedings of Courts of justice in civil cases, being an Act to amend Sections 269, 632, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 658, 659, 660, 661, 670, 950, 951, 952, 953, 959, 960, 961, and 962 of the Code of Civil Procedure of the State of California, and to repeal Sections 633, 634, and 656 of said Code of Civil Procedure, and to add four new sections to said Code of Civil Procedure, to be numbered, known, and designated, respectively, as Sections 951a, 953a, 962a, and 962b. Carpenter..... | 91 | | |
| 331 | An Act to appropriate money for the erection of a monument in Golden Gate Park, in the city of San Francisco, or in Court-house grounds, Santa Rosa, California, in memory of the late General M. G. Vallejo. Ragsdale..... | 91 | 728-9 | 1141 |
| 332 | An Act to authorize the acquisition by donation of a site for camps of instruction for the National Guard of the State of California, and to improve the same, and making an appropriation therefor. Burke..... | 91 | 697 | 908 |
| 333 | An Act to amend Section 321 of the Penal Code of California, relating to lotteries and lottery tickets. Hart..... | 91 | 1107 | |
| 334 | An Act to provide for the working of certain convicts upon the public roads in this State. Ragsdale..... | 97 | 878 | |
| 335 | An Act to amend sections numbered 915 and 917 of the Penal Code. Ragsdale..... | 97 | | |
| 336 | An Act to establish what shall constitute lawful fences within the State of California. Campbell..... | 97 | | |
| 337 | An Act to amend Sections 1811, 1812, 1813, 1814, 1815, 1817, 1818, and 1819 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872. Carpenter..... | 97 | | |
| 338 | An Act to amend Sections 1142, 1188, 1194, 1197, 1203, 1205, 1208, 1257, 1264, and 1265 of the Political Code, in relation to elections within this State. Arms..... | 97 | | |

| Number | TITLE. | Introduced. | Passed Senate. | Passed Assembly. |
|--------------|---|-------------|----------------|------------------|
| 339 | An Act to provide for the payment of the claim of James C. Smith, for money advanced and expended by him for the State of California in the building and construction of the North Street Canal and laying sewer pipe at and near Stockton, San Joaquin County, California. Langford | 97 | | |
| 340 | An Act to amend "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be numbered 432, relating to fire and marine insurance. Mahoney --- | 97 | | |
| 341 | An Act making an appropriation to pay the deficiencies in the appropriation for traveling expenses of the Surveyor-General and the Attorney-General when engaged in contests between the State and the United States, in relation to public lands, for the forty-third fiscal year. Mahoney | 97 | 989 | 1131 |
| 342 | An Act to amend Section 1261 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to heads of families. Gesford | 97 | 698 | 892 |
| 343 | An Act to amend an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891. Ostrom | 98 | 1049 | |
| 344 | An Act to appropriate the sum of \$3,000 to pay the claim of T. Carl Spelling. Fay (by request) | 98 | | |
| 345 | An Act to amend Section 2468 of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to pilotage. McGowan. | 98 | | |
| 346 | An Act to provide a system of street improvement bonds, to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds. Mathews | 103 | 295 | 518 |
| 347 | An Act to establish a tax on collateral inheritances, to provide for its levy and collection, and to create therewith a fund for the maintenance of kindergartens. McAllister | 103 | 776 | 1087 |
| 348 | An Act granting to the Board of Supervisors of Sonoma County, California, right of way through the lands of the California Home for the Care and Training of Feeble-Minded Children, to enable said Board of Supervisors to change the location of the public highway now traversing said land. Ragsdale | 103 | | |
| 349 | An Act to change and permanently locate the boundary lines between the counties of Glenn and Colusa. Hart | 103 | 500 | 770 |
| 350 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by adding two new sections thereto, concerning attorneys and counselors at law, Chapter I, Title V, Part I. Ostrom | 116 | | |
| 351 | An Act to add a new section to the Political Code, to be known and designated as Section 3493½, relating to suits to determine the validity of assessments in reclamation districts. Langford. | 116 | 730 | 1140 |
| 352 | An Act to amend Section 175 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, and to fix and regulate the compensation of county and township officers, and of jurors and witnesses, and to provide for the payment thereof, in counties of the thirteenth class. Hoyt | 116 | | |
| 353 | An Act to amend Sections 1352, 1368, 1370, and 1383 of an Act entitled "An Act to establish a Code of Civil Procedure," | | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
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| | approved March 11, 1872, relating to estates of deceased persons. Simpson | 116 | | |
| 354 | An Act to create a special commission, for the purpose of examining and reporting on the Torrens Land Transfer Act of Australia. McAllister | 116 | 698 | 908 |
| 355 | An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley. Goucher | 116 | | |
| 356 | An Act to amend Section 1411 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to special administrator. Denison (by request) | 116 | | |
| 357 | An Act to create the county of Bidwell, establish the boundaries, to provide for its organization, and to provide for the payment of such proportion of the indebtedness of Butte County as may be equitably chargeable to Bidwell County. Shippee | 116 | | |
| 358 | An Act to amend an Act entitled "An Act to regulate the sale of olive oil," approved March 10, 1891. Shippee | 117 | 769 | 1142 |
| 359 | An Act to regulate the fees of County Clerks in estates of deceased persons, of minors, and of incompetent persons. Whitehurst | 117 | 661 | |
| 360 | An Act making an appropriation to pay the claim of J. L. Cooke and William Gutenberger for balance due for materials furnished and work done in the construction of the branch State Prison at Folsom. Earl (by request) | 117 | | |
| 361 | An Act for the relief of J. F. Chapman & Co., for damage sustained through the loss of coal from Fremont Street wharf, in the City and County of San Francisco. Earl | 117 | | |
| 362 | An Act to amend Section 170 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to the disqualification of Judges. Earl | 117 | | |
| 363 | An Act to amend Section 398 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relative to transfer of causes where Judge is disqualified. Earl | 117 | 697 | 1140 |
| 364 | An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to provide for Police Courts in cities of 30,000 and under 100,000 inhabitants, and to provide for officers thereof,' approved March 13, 1885, and to provide for Clerks of Police Courts in cities of 26,000 and under 50,000 inhabitants," approved March 31, 1891, by inserting a new section, to be numbered 6½, providing for prosecuting attorneys of Police Courts in cities having more than 30,000 and under 50,000 inhabitants, and prescribing the duties and regulating the compensation of such prosecuting attorneys. Earl | 117 | 499 | 535 |
| 365 | An Act making an appropriation for the erection of an additional building for the State Normal School at San José. Bailey | 117 | | |
| 366 | An Act to provide for the publication of public printing, and fixing a legal rate for the same; also, designating what a legal newspaper shall be and what constitutes a legal publication. Mahoney (by request) | 117 | | |
| 367 | An Act prescribing the qualifications of Presidents, directors, officers, and employes of corporations, and providing a penalty for corporations willfully violating its provisions. Ragsdale (by request) | 117 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Asem-
by |
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| 368 | An Act to regulate the collection and disposition of all garbage, offal, ashes, and other refuse matter in towns, cities, and cities and counties. Williams | 118 | | |
| 369 | An Act to provide for payment for private property heretofore actually taken for public use, and for which no compensation has been made. Williams | 118 | | |
| 370 | An Act making an appropriation for the support and maintenance of the State Mining Bureau for the forty-fifth and forty-sixth fiscal years. Flint | 118 | | |
| 371 | An Act to declare arrangements, contracts, agreements, trusts, or combinations in restraint of trade and production unlawful, and to fix the penalty therefor. Broderick | 118 | | |
| 372 | An Act to amend Section 2633, Political Code, and amend Sections 2641, 2642, 2643, 2645, 2652, and to repeal Section 2646 of an Act entitled "An Act to amend Sections 2641, 2642, 2643, 2645, 2646, 2652, and to repeal Section 2644 of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder," and to provide for the appointment of road overseers for the various road districts within counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder. Carpenter | 119 | 674 | 888 |
| 373 | An Act to amend Section 2646 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder. Hart | 120 | 674 | 888 |
| 374 | An Act to amend Section 632 of the Code of Civil Procedure, relative to the trial of causes by the Court. Mathews | 120 | | |
| 375 | An Act to amend Section 633 of the Code of Civil Procedure, relating to trial by Court. Mathews | 120 | | |
| 376 | An Act to amend Section 660 of the Code of Civil Procedure, relative to new trials. Mathews | 120 | | |
| 377 | An Act to provide for the division of existing counties, and for the creation and organization of new counties and names therefor; to determine the location of county seats by an election; to declare the manner of providing officers, and to determine the portion of the old county debt to be chargeable to such new county. Berry | 120 | | |
| 378 | An Act to amend Chapter VII, Article X, Section 996 of the Political Code, by adding a new division, providing for filling vacancies not otherwise provided for. Berry | 120 | | |
| 379 | An Act to restrain certain domestic animals from running at large. Ostrom | 120 | | |
| 380 | An Act to amend Section 2633, Political Code, and amend Sections 2641, 2642, 2643, 2645, and 2652, and to repeal Section 2646 of an Act entitled "An Act to amend Sections 2641, 2642, 2643, 2645, 2646, and 2652, and to repeal Section 2644 of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the powers and duties of highway officers, and to provide for the construction, maintenance, and improvement of highways by contract let out to the lowest bidder," and to provide for the appointment of road overseers for the | | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assem-
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| | various road districts within the counties of this State, and to authorize Boards of Supervisors to let contracts for improving and building roads to the lowest bidder. Mathews | 120 | | |
| 381 | An Act to amend Section 636 of an Act entitled "An Act to establish a Penal Code," approved April 11, 1872, relating to fish and game. Hoyt | 163 | 834 | 1137 |
| 382 | An Act authorizing the allowance, settlement, and payment of claims of counties against the State. Whitehurst | 163 | 436 | 745 |
| 383 | An Act amending Sections 1183, 1184, and 1187 of the Code of Civil Procedure of the State of California, as amended March 15, 1887; Section 1195 of the said Code of Civil Procedure, as amended March 18, 1885; and Section 1190 of said Code of Civil Procedure; all relating to liens of mechanics and others, and also inserting a new section in said Code, to be numbered Section 1203. Mitchell | 163 | 574 | 1075 |
| 384 | An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section to said Penal Code, to be known and numbered as Section 679, relating to the coercion or compulsion of persons seeking employment. McGowan | 163 | 302
365 | 741 |
| 385 | An Act to provide for incorporation, operation, and management of coöperative associations. McGowan | 163 | | |
| 386 | An Act to amend an Act entitled "An Act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting, and distributing certain books of a State series of school text-books, and appropriating money therefor," approved March 15, 1887. Voorheis | 163 | | |
| 387 | An Act to fix the fees, commissions, and charges of Sheriffs while acting as receivers in insolvency proceedings, and for the disposition of the same. Williams | 163 | | |
| 388 | An Act to amend Sections 2212 and 2218 of the Political Code of the State of California, relating to the examination and commitment of insane persons. Mahoney | 163 | 1089 | |
| 389 | An Act to provide for the appointment, duties, and compensation of the Debris Commissioners, and to make an appropriation to be expended under their directions in the discharge of their duties as such Commissioners. Ford | 166 | 511 | 1134 |
| 390 | An Act to amend Section 683 of the Code of Civil Procedure of the State of California, relating to the return on execution. Gesford | 166 | 765 | |
| 391 | An Act to amend Section 1880 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools, and the issuance of bonds of school districts, and to add a new section thereto, to be known as Section 1890, also relating to the same subject. Gesford | 166 | | |
| 392 | An Act to create the county of Santa Ynez, to establish the boundaries thereof, and to provide for its organization. Orr (by request) | 166 | | |
| 393 | An Act to facilitate the disposition of business in the Superior Court of Fresno County, by the appointment and election of a third Judge of said Court. Goucher | 167 | 289 | 672 |
| 394 | An Act authorizing the Board of State Harbor Commissioners to grant for a limited period of time to persons or corporations the | | | |

| Number | TITLE. | Introduced ... | Passed Senate. | Passed Assembly |
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| | right to run and operate street cars between the hours of 6 A. M. and 7 P. M. of each day for the carriage of passengers, and collect tolls therefor, over and upon any railroad upon State lands and lands within their jurisdiction along the exterior waterfront line of the City and County of San Francisco. Biggy | 167 | | |
| 395 | An Act to amend Section 194 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to the fees and compensation of officers of counties of the thirty-second class. Orr | 167 | | |
| 396 | An Act to amend Section 172 of the Civil Code of the State of California, relating to the husband's control and disposition of the community property. Maher | 167 | | |
| 397 | An Act to amend Section 291 of the Civil Code, relating to the articles of incorporation of railroad, wagon road, and telegraph corporations. McGowan | 167 | | |
| 398 | An Act to amend Section 293 of the Civil Code, relating to railroad, wagon road, and telegraph corporations. McGowan | 167 | | |
| 399 | An Act to provide for the consolidation of railroad corporations organized under the laws of the State of California with railroad corporations organized under the laws of any other State or Territory, or both. McGowan | 167 | | |
| 400 | An Act to amend Section 456 of the Civil Code, relating to the borrowing of money and the issuance of bonds by railroad corporations. McGowan | 167 | | |
| 401 | An Act to authorize suits against the State, and regulating the procedure therein. McGowan | 167 | 538 | 672 |
| 402 | An Act entitled an Act to pay the claims of employes of the State Board of Forestry, and appropriating the sum of \$1,184 28 to pay such claims. Mathews | 167 | | |
| 403 | An Act to amend Section 527 of the Political Code, relating to public printing, and the duties of the Superintendent of State Printing. Burke | 170 | 850 | |
| 404 | An Act to amend Section 679 of the Political Code, relating to duties of the State Board of Examiners. Burke | 170 | 850 | |
| 405 | An Act granting the right of way and station grounds to the Southern California Railway Company over a portion of the asylum grounds in the county of San Bernardino. Seymour | 170 | 699 | 892 |
| 406 | An Act to amend Section 626 of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing, and transportation thereof. Flint | 171 | | |
| 407 | An Act to amend an Act entitled "An Act to provide for the restoration and preservation of fish in the waters of this State," approved April 2, 1870, by adding thereto an additional section, numbered Section 12, relative to the better protection of fish placed in streams for the purpose of propagation. Flint | 171 | | |
| 408 | An Act to provide for payment of the claim of C. C. Rochford. Goucher | 171 | | |
| 409 | An Act making an appropriation to pay the deficiency in the appropriation for the transportation of insane for the forty-third fiscal year. Maher | 173 | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------------|---|------------|---------------|-----------------|
| 410 | An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-third fiscal year. Maher | 173 | | |
| 411 | An Act to amend an Act entitled "An Act to authorize the Common Council, Board of Trustees, or other governing body of any incorporated city or town, other than cities of the first class, to refund its indebtedness, issue bonds therefor, and provide for the payment of the same," approved March 15, 1883. Mathews | 174 | | |
| 412 | An Act to amend Section 1539 of the Code of Civil Procedure of the State of California. Flint | 174 | | |
| 413 | An Act to amend Section 1705 of the Code of Civil Procedure of the State of California. Flint | 174 | | |
| 414 | An Act to amend Section 692 of the Code of Civil Procedure of the State of California. Flint | 174 | | |
| 415 | An Act to amend Section 413 of the Code of Civil Procedure of the State of California, relating to publication of summons. Flint | 174 | | |
| 416 | An Act to amend Section 1303 of the Code of Civil Procedure of the State of California. Flint | 174 | | |
| 417 | An Act to provide for the care and treatment of inebriates, acute insane persons, and victims of opium or other drug habits. Flint | 174 | | |
| 418 | An Act to appropriate money to pay the claim of J. N. Cardoza, Farmer & Hoxie, and D. M. Davison, for military services. Campbell | 180 | | |
| 419 | An Act to amend Section 2955 of the Civil Code, and add a new section thereto, to be known and designated as Section 2973, relating to chattel mortgages. Mathews | 180 | | |
| 420 | An Act to make an appropriation to pay the claim of R. B. Young. Mathews | 180 | | |
| 421 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to adding a new section. Fay | 180 | | |
| 422 | An Act relating to publications of legal notices. Hart | 180 | | |
| 423 | An Act to promote ramie, fiber, and silk culture in California. Hart | 180 | | |
| 424 | An Act to add a new section to an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, in relation to the distribution of the estates of deceased persons, to be known as Section 1670. Ragsdale | 184 | | |
| 425 | An Act supplemental to an Act entitled "An Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel," approved March 10, 1891, and to provide for the examination, approval, and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said Act. Mathews | 184 | | |
| 426 | An Act to provide for the payment to the State of California, by fire, marine, accident, or life, or other insurance companies | | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly |
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| | doing business in said State, of an annual tax upon their corporate franchises, or business done in said State, of 1 per centum upon the gross amount of premiums annually received by said companies, and providing for the payment thereof, and for annual sworn returns of such premiums received, and for the punishment of failure to make and execute such returns, and for the institution of actions for the collection and payment of such tax. Mitchell----- | 185 | | |
| 427 | An Act requiring persons or corporations owning, controlling, or operating lines of street railways in cities, and cities and counties, of this State, having a population of over 100,000 inhabitants, to pay in to the Treasurers of such cities, and cities and counties, 9 per centum of their gross receipts, for the improvement of parks and public squares. Mahoney----- | 185 | | |
| 428 | An Act to repeal Section 1093 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to conveyances by married women. Orr----- | 185 | 729 | |
| 429 | An Act to amend Section 944 of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to indictments for offenses triable in Justices' or Police Courts. Orr----- | 185 | 729-30 | |
| 430 | An Act to amend Sections 1426, 1427, and 1452 of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to the manner of commencing actions before a Justice or Police Court for a public offense. Orr----- | 185 | 729 | |
| 431 | An Act to amend Sections 915, 919, and to repeal Sections 916, 931, 932, 933, 934, 935, 936, 937, of an Act entitled "An Act to establish a Penal Code," adopted February 14, 1872, relating to presentments by a grand jury. Orr----- | 185 | | |
| 432 | An Act to pay the claim of Mary M. Springer, the widow and heir of Thomas A. Springer, late State Printer, deceased. Earl----- | 185 | | |
| 433 | An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-1893. Earl----- | 185 | | |
| 434 | An Act regulating the sale of the lands uncovered by the recession of the waters of inland lakes, and unsegregated swamp and overflowed lands. Williams----- | 186 | 761-2 | |
| 435 | An Act to amend Section 616 of the Political Code, relative to foreign corporations, and the conditions on which they may transact business in this State. Broderick----- | 186 | | |
| 436 | An Act to provide for the appointment of a Board of Examining Engineers, to license engineers of portable and stationary steam engines and boilers, to establish the duties and compensation of said Board. Mahoney----- | 186 | | |
| 437 | An Act to provide for the adjustment of the indebtedness and assets between any county that has been created, or may hereafter be created, and the county or counties from the territory of which such new county may be created. Hart----- | 186 | | |
| 438 | An Act making it unlawful to refuse admission to places of amusement. McGowan----- | 186 | 699 | 1137 |
| 439 | An Act to amend Section 768 of the Code of Civil Procedure of California, relating to charges and fees allowable by the Court in actions for the partition of real property. Biggy----- | 186 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
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| 440 | An Act to amend an Act entitled "An Act to establish a Penal Code," relating to the presentation of false proofs in support of a claim of a policy of insurance. Hart | 186 | | |
| 441 | An Act to amend Section 7 of an Act entitled "An Act to amend Section 2641, 2642, 2643, 2645, 2646, 2652, and to repeal Section 2644 of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to powers and duties of highway officers, and to provide for the construction, maintenance, and improvements of highways by contract let out to the lowest bidder," approved March 31, 1891. Voorheis .. | 190 | 674 | 888 |
| 442 | An Act to prevent the leading, taking, carrying away, decoying, or enticing away any child under the age of ten years from the parent or parents, or other persons having the lawful charge or possession of such child, and affixing penalties for violation of this Act. Mahoney | 190 | | |
| 443 | An Act to amend Section 1218 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of Court, and punishment thereof. Ostrom | 190 | | |
| 444 | An Act to amend an Act entitled "An Act to protect agriculture, and to prevent the trespassing of animals upon private property," approved March 22, 1872. Ragsdale | 193 | | |
| 445 | An Act to add a new section to the Penal Code, to be numbered 538, relating to misrepresentations as to circulation, by proprietors of newspapers and periodicals, for the purpose of obtaining patronage. Arms | 193 | 600 | 944 |
| 446 | An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Hart | 193 | | |
| 447 | An Act making an appropriation for the payment of the claim of A. L. Rhodes for his services as counsel for the plaintiffs in an action entitled "The County of Santa Clara vs. The Southern Pacific Railroad Company," and other actions, in the Circuit Court of the United States, Ninth Circuit, District of California, and in the Supreme Court of the United States, brought for the collection of delinquent taxes assessed upon the property of railroad companies. Hart | 193 | | |
| 448 | An Act concerning champerty and maintenance, and to punish those guilty thereof. Ostrom | 194 | | |
| 449 | An Act to create the county of Santa Rita, to establish the boundaries thereof, and to provide for its organization. Flint | 194 | | |
| 450 | An Act fixing the salary of the Janitor of the State Capitol building, defining his duties, and making an appropriation therefor. Earl (by request) | 194 | | |
| 451 | An Act to amend Sections 1748, 1749, 1764 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to guardian and ward. Maher | 194 | | |
| 452 | An Act to provide for a topographical survey and map of the State of California, and appropriating money to pay for the same. McAllister (by request) | 199 | | |
| 453 | An Act to amend Section 497 of the Civil Code of the State of California, relating to street railroad corporations. Earl | 199 | 1012 | |
| 454 | An Act creating a Board of Commissioners of Loan Associations, and prescribing their duties and powers. Earl | 199 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
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| 455 | An Act making an appropriation for the contingent expenses of the Senate for the thirtieth session of the Legislature. Maher. | 207 | 247 | 221 |
| 456 | An Act to provide for the publication of legal notices. Maher. | 207 | | |
| 457 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 3245, relating to eight hours being a legal day's work. Maher. | 207 | 883 | |
| 458 | An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, and amended February 8, 1889, and to appropriate money therefor. Maher. | 207 | | |
| 459 | An Act to amend Section 1401 and to repeal Section 1402 of the Civil Code of the State of California, relating to community property. Gesford. | 207 | | |
| 460 | An Act to provide for the employment of destitute citizens, and making appropriations therefor. Mahoney. | 207 | | |
| 461 | An Act to amend Sections 1186, 1187, 1188, 1190, 1192, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, and 1365 of the Political Code, and to add nineteen new sections thereto, to be numbered 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, and 1384, all in relation to the conduct of elections in this State. Arms. | 207 | | |
| 462 | An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prisons at San Quentin and Folsom. McAllister. | 208 | | |
| 463 | An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction of roads to the State Prison at San Quentin. McAllister. | 208 | 699 | 944 |
| 464 | An Act making an appropriation for the erection of an additional building for the State Normal School at San José. Whitehurst. | 208 | | |
| 465 | An Act to amend Section 1365 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons. Hart. | 208 | | |
| 466 | An Act for the relief of Patrick Creighton. Hart. | 208 | | |
| 467 | An Act to amend an Act to provide for the organization, incorporation, and government of municipal corporations, as approved March 13, 1883, and amended March 19, 1889. Earl. | 208 | 1010 | |
| 468 | An Act to amend Section 456 of the Civil Code, relating to the powers of railroad corporations to borrow money. Earl. | 208 | 883 | |
| 469 | An Act to amend Section 855 of the Code of Civil Procedure of the State of California, relating to the filing of answers in Justice's Court. Earl. | 208 | | |
| 470 | An Act to amend Section 359, entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to corporations and the increase and diminution of the capital stock, and the creation, increase, and diminution of the bonded indebtedness thereof. Earl. | 208 | 768 | 1102 |
| 471 | An Act to amend Section 753 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Earl. | 208 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 472 | An Act to add a new section to Title XI, Chapter I, of Part II, of the Penal Code of the State of California, to be designated Section 1462, and relating to the issuance of writs of execution for the purpose of collecting fines imposed in criminal cases. Earl..... | 208 | | |
| 473 | An Act to amend Section 659 of the Code of Civil Procedure of the State of California, relating to motions for new trials. Earl..... | 209 | | |
| 474 | An Act to amend an Act entitled "An Act to prevent the sale of intoxicating drinks to minors, and relating to the selling and giving intoxicating drinks to minors," approved March 4, 1872, Statutes 1871-3, page 231. Earl..... | 209 | | |
| 475 | An Act to add a new section to Title XI, Chapter II, of Part II, of the Penal Code of the State of California, to be designated Section 1471, and relating to the filing of an undertaking on appeal in criminal cases wherein execution has been levied to collect a fine. Earl..... | 209 | | |
| 476 | An Act amendatory of Chapter III, of Title IV, of the Code of Civil Procedure, relative to phonographic reporters. Earl..... | 209 | | |
| 477 | An Act to provide for the establishment and maintenance of free public employment offices. Broderick..... | 209 | | |
| 478 | An Act to amend Section 1350 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to executors. Hoyt..... | 209 | | |
| 479 | An Act making an appropriation to pay for the management and maintenance of the Southern California State Asylum for the Insane and Inebriates for the forty-fourth fiscal year. Seymour..... | 209 | 615 | 968 |
| 480 | An Act making an appropriation to pay the deficiency in the appropriation for additional improvements for the Southern California State Asylum for the Insane and Inebriates. Seymour..... | 209 | 615-6 | 709 |
| 481 | An Act making an appropriation for the erection of additional buildings and improvements for the Southern California State Asylum for the Insane and Inebriates. Seymour..... | 209 | 528 | 710 |
| 482 | An Act regulating the location of manufactories for giant powder, gun powder, blasting powder, or any explosive substance, the storage of explosives, and providing a penalty therefor. Williams..... | 209 | | |
| 483 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding a new section thereto, to be known as Section 690½, for the purpose of defining and enforcing Section 690 of said Code. Williams..... | 209 | 1045 | |
| 484 | An Act to promote the business of breeding and propagating horses, cattle, and other live stock, to enable owners to borrow money thereon without parting with the possession thereof, and to prevent fraudulent sales of unincumbered live stock. Streeter..... | 210 | 1046 | |
| 485 | An Act to amend Section 200 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the qualifications and exemptions of jurors. Earl..... | 210 | | |
| 486 | An Act to amend Sections 2641, 2643, 2645, and 2646 of the Political Code, relating to roads and highways. Campbell..... | 210 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 487 | An Act to insure preference in appointment, employment, and retention therein, in the public service of the State of California, and municipalities, villages, and counties of the State of California, to ex-Union soldiers of the late war. McGowan | 210 | 1010 | |
| 488 | An Act to amend Section 4 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, or municipal corporations incorporated under the laws of this State," approved March 15, 1887. Gesford | 210 | | |
| 489 | An Act to provide for the payment of a part of the funded debt of the State, and to pay the interest on the remainder. Langford | 216 | | |
| 490 | An Act to amend "An Act amendatory of and supplemental to an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, providing for the exclusion of certain lands within any such district," approved February 16, 1889. Goucher | 217 | | |
| 491 | An Act making an appropriation for reimbursing the county of Marin, for moneys expended by it for the prosecution of crimes committed within the State Prison at San Quentin, and for inquest held over the bodies of convicts who have died within said prison. McAllister | 218 | 988 | |
| 492 | An Act in relation to the care and improvement of the State Capitol grounds, and making an appropriation therefor. Hart | 225 | 614 | 944 |
| 493 | An Act relative to the placing and maintaining of messenger call boxes in houses of ill fame, or in any house, building, or room occupied or frequented by lewd women. Everett | 225 | | |
| 494 | An Act to amend Section 1618 of the Code of Civil Procedure, relating to the salaries of Public Administrators. Everett | 225 | | |
| 495 | An Act amending Section 216 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the compensation of Assessors in counties of the second class. Mathews | 225 | | |
| 496 | An Act to amend Sections 3765, 3773, 3778, 3780, 3781, 3785, 3788, 3816, and 3817, and to repeal Sections 3774, 3775, 3776, 3777, 3779, 3782, 3783, 3784, and 3818 of an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the sale of real property for delinquent taxes, and the redemption and resale of such property, and to add a new section thereto, to be known and designated as Section 3801, also relating to the sale of real property for delinquent taxes. Mathews | 225 | | |
| 497 | An Act to amend Section 566 of the Code of Civil Procedure, relating to receivers in civil actions and proceedings. Ostrom | 226 | | |
| 498 | An Act to amend Section 258 of the Code of Civil Procedure of the State of California, relating to the appointment of Court Commissioners. Ostrom | 226 | | |
| 499 | An Act to amend Section 1032 of the Political Code, relating to public records. Ostrom | 226 | | |
| 500 | An Act to amend Section 641 of the Code of Civil Procedure, relating to appointments and qualifications of referees in civil actions and proceedings. Ostrom | 226 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------------|---|------------|---------------|-----------------------|
| 501 | An Act to amend Section 2467 of the Political Code, relative to charges for towage. Broderick | 226 | | |
| 502 | An Act to prohibit the creation of debts against the State in excess of appropriation made by law, except in cases of actual necessity and on consent of the Board of Examiners. Seawell | | | |
| 503 | An Act to amend Sections 37 and 190 of the Penal Code of the State of California, relating to the punishment of crimes. Carpenter | 226 | | |
| 504 | An Act to amend Section 633 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relative to conditions precedent to right to act as insurance agent or solicitor. Arms | 226 | 768 | 908 |
| 505 | An Act to amend an Act entitled "An Act relating to life, health, accident, and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance," approved March 19, 1891. Arms | 226 | | |
| 506 | An Act to amend Sections 364 and 654 of the Political Code, relating to the Board of Examiners, and to add a new section thereto, to be known as Section 685 of the Political Code, providing for the appointment of a clerk by said Board, and making an appropriation for his salary. Carpenter | 226 | 769 | 892 |
| 507 | An Act making an appropriation for the payment of certain salary due Allen Kelly, as Executive Officer of the State Board of Forestry. Goucher | 233 | 769 | 965 |
| 508 | An Act exempting agricultural, horticultural, viticultural, and pastoral occupations from license taxation. Hoyt | 233 | | |
| 509 | An Act to establish what shall constitute lawful fences within the State of California. McGowan | 233 | | |
| 510 | An Act entitled "An Act to amend Section 2684 of the Political Code." McGowan | 233 | | |
| 511 | An Act entitled "An Act to prevent the sale of short-weight rolls of butter." McGowan | 233 | | |
| 512 | An Act to amend Section 9 of an Act entitled "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891. McGowan | 233 | | |
| 513 | An Act to amend Section 226 of the Civil Code of the State of California, relating to the adoption of children, and to repeal Section 230 of the Civil Code of the State of California. McGowan (by request) | 233 | | |
| 514 | An Act to amend Section 336 of the Civil Code of the State of California, approved March 30, 1874, relating to publication of assessment notices of incorporated companies. Voorheis | 240 | | |
| 515 | An Act to amend Section 692 of the Code of Civil Procedure of the State of California. Voorheis | 240 | | |
| 516 | An Act to amend Section 413 of the Code of Civil Procedure of the State of California, relating to the publication of summons. Voorheis | 240 | | |
| 517 | An Act to amend Section 1539 of the Code of Civil Procedure of the State of California. Voorheis | 240 | | |
| 518 | An Act to amend Section 1303 of the Code of Civil Procedure of the State of California. Voorheis | 240 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 519 | An Act to amend Section 1705 of the Code of Civil Procedure of the State of California. Voorheis..... | 240 | | |
| 520 | An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending Section 791 of said Code, relating to the appointment and number of Notaries Public in the several counties of this State, and to repeal Section 793 of said Code, relating to the term of office of Notaries Public," approved March 19, 1889. Carpenter..... | 240 | | |
| 521 | An Act relating to the trial of actions for divorce. Broderick... | 241 | | |
| 522 | An Act to amend Section 26 of an Act to amend Sections 1521, 1532, etc., and to repeal Sections 1625, 1669, etc., of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to public schools, etc., approved March 20, 1891, relating to public schools, etc. Mathews..... | 241 | | |
| 523 | An Act to add Sections 2543 and 2544 to the Civil Code. Berry.. | 241 | | |
| 524 | An Act entitled an Act concerning municipal corporations. Earl (by request)..... | 241 | | |
| 525 | An Act to pay the claim of Cornelius Lynch, and to appropriate money therefor. Biggy (by request)..... | 241 | 904 | |
| 526 | An Act authorizing persons having claims against the State, or against counties or municipal corporations, to prosecute and establish them in the Courts of this State, and providing for the payment of judgments therefor. Hart..... | 241 | | |
| 527 | An Act to amend the Political Code, changing the boundary line between the counties of Yolo and Sacramento. Hart..... | 241 | | |
| 528 | An Act to amend Section 163 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Everett..... | 243 | | |
| 529 | An Act to make an appropriation to pay the traveling expenses of the Attorney-General in attending criminal cases before the Supreme Court of the United States. Carpenter..... | 243 | | |
| 530 | An Act to amend Section 3491 of the Political Code, relating to the election of Trustees of reclamation districts. Seawell..... | 250 | 795 | |
| 531 | An Act appropriating money for the relief of E. W. Melvin, his heirs or assigns. Hart..... | 250 | 895 | 1152 |
| 532 | An Act entitled an Act to appropriate money to pay the claim of John M. Creed for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum of Berkeley, California, which work was performed and material furnished, under contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State. Earl.. | 250 | 1072 | |
| 533 | An Act to appropriate money for the erection of a monument upon the plot of ground belonging to the Sacramento Association of Veterans of the Mexican War, situated in the cemetery of Sacramento, and for the improvement of said grounds. Wilson..... | 250 | | |
| 534 | An Act to add a new section to the Penal Code, to be known as Section —, relating to defrauding proprietors and managers of livery stables. Ostrom..... | 250 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 535 | An Act to amend Section 3572 of the Political Code. Broderick | 251 | | |
| 536 | An Act requiring every corporation doing business in this State to pay their employes, and each of them, at least once in each and every month the wages earned by such employe; to define the duties of the Labor Commissioner and the District Attorneys of the several counties of this State in enforcing this Act; to limit the defenses which may be set up by such corporation to assignments of wages set off, or counter claims, or the absence of such employe at the time of making payment, and in case of such absence the wages are payable upon demand; to prohibit assignments of wages for the purpose of evading the provisions of this Act, and agreements to accept wages at longer periods than as herein provided as a condition of employment; to fix a penalty for this violation of the provisions of this Act by such corporation, and to provide for the disposition of any fines recovered from corporations violating the same. Seawell | 260 | 931 | |
| 537 | An Act to amend Section 575 of the Civil Code of the State of California, relating to making and drawing deposits and dividends in savings and loan corporations. Seawell | 260 | | |
| 538 | An Act to repeal an Act entitled "An Act concerning corporations and persons engaged in the business of banking," approved April 1, 1876. Seawell | 260 | 393 | 894 |
| 539 | An Act to appropriate money to pay funeral expenses, to furnish tombstones, to sink a well, and make needed repairs in and about the "Woman's Relief Corps Home," at Evergreen, in the State of California. Bailey | 260 | 849 | |
| 540 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, Title XI, Chapter III, Article III, Section 1365, concerning letters of administration, to whom, and the order in which they are granted. Ostrom .. | 260 | | |
| 541 | An Act amendatory of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891. McGowan | 260 | | |
| 542 | An Act amendatory of Chapter III, Title IV, of the Code of Civil Procedure, relative to phonographic reporters. McGowan | 260 | | |
| 543 | An Act to amend Section 286 of the Civil Code of the State of California, relating to the purposes for which private corporations may be formed. McGowan | 260 | 1011 | |
| 544 | An Act to prevent the undue concentration of wealth in the hands of persons who have not earned it, by placing a limit upon the amount that may be distributed to any single person. McGowan | 260 | | |
| 545 | An Act prohibiting the use of barbed wire fence on public lanes, streets, alleys, roads, or highways. Everett | 261 | | |
| 546 | An Act making an appropriation to pay costs and expenses of suit, numbered 24,381 in the Superior Court of the City and County of San Francisco, California, in which the State is plaintiff and a party in interest. Broderick | 263 | | |
| 547 | An Act to provide for the publication of semi-annual statements by corporations and persons engaged in the business of banking, and to repeal the Act approved April 1, 1876, entitled "An Act concerning corporations and persons engaged in the business of banking." Whitehurst | 276 | 661 | |

| Number | TITLE. | Introduced. | Passed Senate | Passed Assembly |
|--------------|---|-------------|---------------|-----------------------|
| 548 | An Act to amend Section 2520 of the Political Code, relating to the Board of State Harbor Commissioners, the powers, duties, and terms of office, and time of taking office. Mitchell..... | 276 | | |
| 549 | An Act to provide for the election and term of office and salary of Justices of the Peace in all counties, and cities and counties, having a population of more than 200,000. Mahoney (by request)..... | 276 | | |
| 550 | An Act to amend Sections 2642, 2643, 2645, 2646, 2652, of the Political Code, and to enact a new section, to be known as Section 2644 of the Political Code, relating to roads and highways. Hart..... | 276 | | |
| 551 | An Act to pay the claim of John H. Van Saun against the State of California, and making an appropriation therefor. Hart... | 276 | 895 | 1153 |
| 552 | An Act to pay the claim of John McGrath against the State of California, and making an appropriation therefor. Hart..... | 277 | 895 | 1075 |
| 553 | An Act to amend Section 1222 of the Code of Civil Procedure of the State of California, in relation to judgment in cases of contempt, and providing for appeals therefrom. Hart..... | 277 | 963 | 1148 |
| 554 | An Act to amend Section 631 of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to a waiver of a trial by jury; and to add two new sections to said Code, to be known and designated as Section 248, relating to the fees of grand and trial jurors; and Section 620, relating to the time and manner of demanding a trial by jury. Mathews.... | 277 | | |
| 555 | An Act to amend Section 726 of the Code of Civil Procedure, and to add a new section thereto, to be known as Section 729, relating to actions for the foreclosure of mortgages. Mathews. | 277 | 662 | 891 |
| 556 | An Act to amend Section 3005 of the Political Code, relating to the appointment of a Board of Health for the City and County of San Francisco. Fay..... | 277 | | |
| 557 | An Act for the protection of fish. Fay..... | 277 | 1008 | 1142 |
| 558 | An Act to prevent undue reduction of wages by contractors for public works. Simpson..... | 277 | | |
| 559 | An Act to amend Sections 2638 and 2596 of the Civil Code, relating to insurance policies. Broderick..... | 277 | | |
| 560 | An Act appropriating \$9,705 50, to pay the principal of certain Indian War bonds issued by the State of California under an Act of the Legislature of the State of California, approved April 25, 1857. Broderick..... | 277 | | |
| 561 | An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, providing for the abandonment of operations by irrigation districts, and for their disorganization upon the discharge of all outstanding obligations. Seawell..... | 277 | | |
| 562 | An Act to amend Section 602 of "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Ford (by request)..... | 277 | | |
| 563 | An Act to pay the claim of Maurice Sheehan against the State of California, and making an appropriation therefor. Goucher. | 278 | 895 | 1154 |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 564 | An Act creating a State Board of Public Works, defining their duties and powers, prescribing their compensation, and making an appropriation. Hart | 279 | | |
| 565 | An Act to provide for the organization and government of drainage districts, for the levy, equalization, and collection of assessments therein, for the construction and maintenance of canals and other drainage works to secure the lands of such districts from overflow, and conferring powers and imposing duties upon the State Board of Public Works in relation to such drainage districts. Hart..... | 279 | | |
| 566 | An Act entitled an Act concerning county government. Earl... | 286 | | |
| 567 | An Act to amend Section 274 of an Act entitled "An Act to establish a Code of Civil Procedure," with reference to the compensation of phonographic reporters for Superior Courts. Orr ... | 287 | | |
| 568 | An Act providing for the dissolution of certain corporations doing a banking business. Ragsdale..... | 288 | | |
| 569 | An Act to add a new section to the Penal Code of the State of California, to be known as, and numbered Section 327, in regard to lotteries. Ragsdale..... | 288 | 407 | |
| 570 | An Act appropriating money to pay the claims of John Mullan, for services rendered by him for this State. Ragsdale (by request)..... | 288 | | |
| 571 | An Act to amend an Act entitled "An Act in relation to fence and pound district in the county of Sonoma," approved March 2, 1872. Ragsdale | 288 | | |
| 572 | An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the maintenance and support of the public parks heretofore created within the various cities, and cities and counties, of the State, and to amend the existing Acts in relation thereto," approved March 14, 1889. Maher | 288 | | |
| 573 | An Act to repeal an Act entitled "An Act in relation to the House of Correction of the City and County of San Francisco," approved April 1, 1878. Maher..... | 288 | 389 | 413 |
| 574 | An Act to provide for the redemption and payment of certain funded debt bonds of this State, together with interest thereon, making an appropriation therefor, and authorizing the State Controller and State Treasurer to transfer the sum of \$120,000 from the General Fund to the Interest and Sinking Fund to carry out the provisions of this Act. Voorheis..... | 288 | | |
| 575 | An Act to amend Sections 16, 18, 19, 24, 26, and 29 of an Act entitled "An Act to establish a State Reform School for Juvenile Offenders, and to make an appropriation therefor," approved March 11, 1889. Mathews..... | 288 | | |
| 576 | An Act making an appropriation for enlarging the fire-proof warehouse for use of the State Printing Department. Hart... | 286 | 817 | 1136 |
| 577 | An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Flint | 286 | | |
| 578 | An Act permitting Mrs. Emma Kelly to sue the State of California, for damages for the death of her husband, George H. Kelly, deceased. Denison | 299 | | |
| 579 | An Act to define the duties of County Surveyors, and to regulate and provide for their compensation. Seymour | 300 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assem-
bly |
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| 580 | An Act entitled an Act to appropriate money to pay the claim of Patrick Begley for the construction of a sewer along Dwight Way, in front of the lands of the Deaf and Dumb Asylum, of Berkeley, California, which work was performed and material furnished under a contract with George Schmidt, Superintendent of Streets of the town of Berkeley, his authority having been acquired under the general street law of this State, and approved by the State Board of Examiners. Earl (by request)..... | 300 | | |
| 581 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 791 of said Code, relating to the appointment and number of Notaries Public in the several counties of this State. Maher..... | 300 | | |
| 582 | An Act making an appropriation to pay the deficiency in the appropriation for restoration and preservation of fish in the waters of the State for the forty-second and forty-third fiscal years. Flint..... | 300 | | |
| 583 | An Act making an appropriation to pay the deficiency in the appropriation for support and maintenance of State hatcheries for the forty-second and forty-third fiscal years. Flint..... | 300 | | |
| 584 | An Act to amend an Act entitled "An Act to establish a standard of weights and measures," approved April 6, 1891. Mahoney.. | 300 | | |
| 585 | An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, Title XI, Chapter III, Article III, Section 1365, concerning letters of administration, to whom, and the order in which they are granted. Ostrom..... | 300 | | |
| 586 | An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever; and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" approved March 19, 1889. Arms..... | 312 | | |
| 587 | An Act to provide for the establishment and maintenance of a training ship, for the instruction of boys in nautical matters, by the State of California, and to appropriate the sum of \$100,000 therefor. Fay..... | 312 | | |
| 588 | An Act to amend Section 3663 of the Political Code of the State of California, relating to assessments. Seymour | 312 | | |
| 589 | An Act to add eight new sections to an Act entitled "An Act to establish a Political Code," approved March 12, 1872, said new sections to be known, numbered, and designated as Sections 2696, 2697, 2698, 2699, 2700, 2701, 2702, and 2703, respectively, all relating to laying out and constructing drains, canals, ditches, and other works to drain public roads. Williams..... | 313 | | |
| 590 | An Act to create the county of Santa Rita, to define the boundaries thereof, to determine the county seat, and to provide for its organization and election of officers, and to classify said county. Harp (by request)..... | 313 | | |
| 591 | An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, and to add a new section | | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| | thereto, to be numbered Section 1677, relating to unlawful contracts. Ford (by request)..... | 313 | | |
| 592 | An Act to prevent the spread of contagious or infectious diseases among domestic animals. Ostrom..... | 313 | | |
| 593 | An Act to provide for the compensation of the Chief and Captain of Police, and police officers, in cities in the State of California containing not less than 10,000 and not exceeding 30,000 inhabitants. Langford..... | 313 | | |
| 594 | An Act to appropriate money to pay the claim of Charlotte M. Holman. Langford..... | 313 | | |
| 595 | An Act to provide for the purchase of a furnished residence for the Governor of California, and stable premises for use in connection with the same, and to appropriate money therefor. Hart..... | 313 | | |
| 596 | An Act to amend the Code of Civil Procedure by adding thereto three new sections, to be numbered Sections 1128, 1129, and 1130, relating to the contesting of elections by a judicial recount of the ballots cast. Biggy..... | 313 | | |
| 597 | An Act providing for the adjustment, settlement, and payment of any indebtedness existing against any city or municipal corporation at the time of exclusion of territory therefrom, and the division of the property thereof. McGowan..... | 313 | | |
| 598 | An Act to provide for the establishment, maintenance, and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a Board of Trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management, and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction, and supervision of the Board of Trustees of the State Mining Bureau. Ford..... | 319 | 933 | 1124 |
| 599 | An Act providing for primary elections in this State. Voorheis..... | 332 | | |
| 600 | An Act to amend Section 791 of the Political Code of the State of California, relating to the appointment and number of Notaries Public in the several counties of said State. Voorheis..... | 332 | | |
| 601 | An Act making an appropriation to pay for lithographing Chinese certificates, under the provisions of an Act to prohibit the coming of Chinese persons into the State, approved March 20, 1891. Voorheis..... | 332 | 741 | 966 |
| 602 | An Act making an appropriation to pay for the transportation of children to the State Reform School for Juvenile Offenders, for the forty-third fiscal year. Voorheis..... | 332 | 613 | 967 |
| 603 | An Act making an appropriation for payment of transportation of children to the State Reform School for Juvenile Offenders, for the forty-fourth fiscal year. Voorheis..... | 332 | 613 | 967 |
| 604 | An Act to amend Section 333 of the Political Code, relating to the printing of public reports. Burke..... | 332 | 834 | |
| 605 | An Act to amend Section 176 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Burke (by request)..... | 332 | | |
| 606 | An Act to pay the claim of A. J. Bourn against the State of California, and making an appropriation therefor. Seawell.... | 332 | 964 | 1127 |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 607 | An Act to provide for furnishing assistants to the Coroner of each city, or city and county, having 100,000 or more inhabitants, and providing the mode in which such assistants shall be appointed and designated, and establishing the compensation and prescribing the duties of such assistants. Arms..... | 332 | 875 | 1087 |
| 608 | An Act to amend Section 1 of an Act entitled "An Act to provide for the levy and collection of taxes by and for the use of municipal corporations, and cities incorporated under the laws of the State, excepting municipal corporations of the first, second, third, and fourth classes, and cities operating under a charter framed under Section 8, Article XI, of the Constitution," approved March 2, 1891. Gesford..... | 332 | | |
| 609 | An Act to amend Section 3046 of the Civil Code of the State of California. Gesford..... | 333 | | |
| 610 | An Act regulating the practice of architecture in the State of California. Goucher..... | 333 | | |
| 611 | An Act amendatory of an Act to provide for the organization and government of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel. Seymour..... | 333 | | |
| 612 | An Act to amend Sections 416, 2292, 2293, 2300, and 2304 of the Political Code of this State, relating to the State Library, and the funds for maintaining the same. Seymour..... | 333 | | |
| 613 | An Act to amend Section 717 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to leases of agricultural lands. Orr..... | 333 | 504 | 1095 |
| 614 | An Act to pay the claim of Abraham Winans against the State of California, and making an appropriation therefor. Hart (by request)..... | 333 | 895 | 1154 |
| 615 | An Act to pay the claim of I. N. Brock against the State of California, and making an appropriation therefor. Hart (by request)..... | 333 | 895 | 1152 |
| 616 | An Act to amend Sections 1520, 1521, 1532, 1533, 1543, 1549, 1551, 1553, 1560, 1564, 1565, 1576, 1577, 1581, 1583, 1593, 1596, 1599, 1602, 1614, 1615, 1617, 1619, 1620, 1621, 1634, 1636, 1637, 1638, 1639, 1649, 1650, 1651, 1662, 1663, 1665, 1666, 1687, 1696, 1698, 1699, 1712, 1714, 1768, 1770, 1771, 1772, 1775, 1776, 1788, 1790, 1791, 1792, 1817, 1830, 1833, 1835, 1836, 1857, 1858, 1874, 1877, 1879, 1880, 1882, 1883, 1503 of the Political Code; to add thereto four new sections, to be known and numbered as Sections 1603, 1669, 1670, and 1671; to repeal Sections 1757 and 1769 of the Political Code; and also to repeal "An Act to authorize the establishment of county high schools, and provide for their support," approved March 10, 1891, and "An Act to provide for the establishment of high schools in the State of California," approved March 20, 1891, and all Acts and parts of Acts in conflict with the provisions of this Act. Hart..... | 333 | | |
| 617 | An Act to pay the claim of Michael Denzer against the State of California, and making appropriation therefor. Hart..... | 334 | | |
| 618 | An Act entitled an Act to enable railroad companies to complete their railroads. Earl..... | 334 | | |
| 619 | An Act entitled an Act to amend Section 1577 of the Political Code, Part III, Title III, Article V thereof, relating to new school districts. Earl..... | 334 | | |

| Number | TITLE | Introduced . . . | Passed Senate | Passed Assembly |
|----------------|---|------------------|---------------|-----------------|
| 620 | An Act to add a new section to the Political Code, to be numbered Section 3818, in relation to the cancellation of tax sales to the State. Streeter..... | 334 | | |
| 621 | An Act to amend Sections 6 and 8 of an Act approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain waterworks;' also, to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State.'" Streeter.. | 335 | | |
| 622 | An Act relative to the sale of wines and liquors, and the maintenance of saloons and places where wines and liquors are sold. Everett..... | 341 | | |
| 623 | An Act making an appropriation to pay the deficiency in the appropriation for the State Board of Forestry, for the wages of station employés at Chico and Santa Monica. Mathews.... | 341 | | |
| 624 | An Act to amend Sections 3481 and 3482 of the Political Code, relating to the division of swamp land districts. Langford ... | 342 | 834 | |
| 625 | An Act to amend Sections 307, 312, and 314 of the Civil Code. Mitchell | 342 | | |
| 626 | An Act to amend Section 200 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to exemption from jury duty. Maher..... | 342 | | |
| 627 | An Act to authorize the Justices of the Supreme Court to appoint a Librarian for said Court, and fixing a salary. Hoyt | 342 | 627-8 | 942 |
| 628 | An Act to amend Section 1210 of the Code of Civil Procedure, relating to reentry upon real property. Ford..... | 342 | | |
| 629 | An Act to amend certain sections of the Political Code, relative to the Board of Health. McGowan (by request)..... | 342 | | |
| 630 | Act to amend Section 1880 of the Code of Civil Procedure of the State of California, relating to witnesses. Hart (by request).. | 342 | | |
| 631 | An Act to enable school districts in, or including, cities of the fifth class to issue bonds for the purpose of raising money for certain purposes, and to repeal an Act, approved March 31, 1891, entitled "An Act to enable cities of the fifth class to issue bonds for the purpose of raising money to purchase school lots, and for building or purchasing one or more school houses, and supplying the same with furniture, necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes." Hart... | 342 | 801 2 | |
| 632 | An Act quitclaiming to the successors in interest of Sallie C. Perry all claim of the State of California in that certain tract of land in the City and County of San Francisco known as "City Slip Lot No. 116," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said Sallie C. Perry. Gesford..... | 351 | 501 | 632 |
| 633 | An Act quitclaiming to the successors in interest of James Bowman all claim of the State of California in that certain tract of | | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| | land in the City and County of San Francisco known as "Water Lot No. 415," and empowering and directing the Governor to execute a deed of quitclaim therefor to said successors in interest of said James Bowman. Gesford | 351 | | |
| 634 | An Act making an appropriation to pay Cyrus Lyon the sum of \$1,000 for the capture of Anastacio Garcia, in 1855. Orr | 351 | | |
| 635 | An Act to provide for the redemption of unused transportation tickets, and to prevent frauds upon travelers. Hoyt | 361 | 673 | |
| 636 | An Act amending Section 60 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to the terms of all elective county and township officers. Voorheis | 361 | | |
| 637 | An Act making an appropriation for the payment of the salary of the Librarian of the Supreme Court for the remainder of the forty-fourth fiscal year. Hart | 362 | | |
| 638 | An Act to amend Section 71 of the Code of Civil Procedure. Hart | 362 | | |
| 639 | An Act making an appropriation from the State School Book Fund, to supply the deficiency in the present appropriation from the General Fund, for compiling State school text-books for the forty-fourth fiscal year. Voorheis | 378 | | |
| 640 | An Act to establish a California State Raisin Growers, Packers, and Brokers' Association, and prescribing the powers thereof. Goucher | 390 | | |
| 641 | An Act to amend Sections 2, 3, and 24 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 17, 1885. Everett | 403 | 574 | 909 |
| 642 | An Act relative to Treasurers, their deputies and clerks, in counties, and cities and counties, having a population of 200,000 inhabitants or over. Everett | 403 | | |
| 643 | An Act to amend Section 272 of the Penal Code, relative to the licensing of children in theatrical exhibitions. Everett | 403 | | |
| 644 | An Act relating to the operation of railroads. Campbell | 403 | 1010 | 1126 |
| 645 | An Act appropriating money to pay the claims of H. P. Dyer, E. F. Dyer, C. A. Granger, Gaston Goldsmith, and P. Reddy. Arms | 403 | | |
| 646 | An Act entitled an Act to forbid the manufacture and sale of cigarettes within the State of California. Earl | 403 | 1060 | |
| 647 | An Act entitled an Act to amend Section 1189 of the Civil Code of the State of California, relating to proof and acknowledgment of instruments. Earl | 403 | | |
| 648 | An Act making an appropriation to pay the deficiency in the appropriation for expenses of Supreme Court, under Section 47, Code of Civil Procedure, for forty-second fiscal year. Williams | 403 | | |
| 649 | An Act to amend Section 1616 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to compensation of executors and administrators of estates of deceased persons. Williams | 403 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|--|------------|---------------|-----------------|
| 650 | An Act to provide for the revision of certain books of the State series of school text-books, for the compilation of an additional book of said series, and for the continued publication of the same, and to authorize and direct the use for these purposes of the money accumulated in the State School Book Fund. Hart. | 403 | | |
| 651 | An Act to appropriate money to build and furnish a house for the Governors of the State of California. Voorheis..... | 418 | | |
| 652 | An Act to amend Section 4085 of the Political Code, relating to the improvement of navigable streams and the protection of lands adjacent thereto, and to repeal an Act entitled "An Act to provide for the organization of levee districts created for the protection of lands from overflow of innavigable running streams of water, and to confine innavigable running streams to a fixed channel." Mathews..... | 418 | 501 | 766 |
| 653 | An Act to add a new section to the Civil Code, to be known as Section 492. Wilson | 419 | | |
| 654 | An Act providing an appropriation for the purpose of completing and preserving Sutter's Fort. Flint | 419 | | |
| 655 | An Act to pay the claim of Dr. M. Gardner against the State of California, and making an appropriation therefor. Campbell. | 424 | 876 | 1090 |
| 656 | An Act to repeal an Act entitled "An Act to provide for the establishment and maintenance of a Mining Bureau," and to transfer the museum, library, laboratory, and all other property of the State Mining Bureau, together with the fund provided for their maintenance, to the University of California. Langford | 445 | | |
| 657 | An Act to amend Sections 3481 and 3482 of the Political Code, relating to the division of swamp land districts. Langford... | 445 | | |
| 658 | An Act making an appropriation for editing the manuscript of the State Mineralogist, for the two years ending September 15, 1892. Ford..... | 445 | 741 | 943 |
| 659 | An Act authorizing the State Controller and State Treasurer to transfer from the State School Fund to the State School Land Fund the sum of \$189,426 58. Voorheis..... | 445 | | |
| 660 | An Act to provide for the payment of interest on the outstanding bonds of the State of California held in trust for the University Fund and the State School Fund; to continue in force so much of an Act entitled "An Act to provide for the payment of the funded indebtedness of the State of California, and to contract a funded debt for that purpose," approved April 2, 1870, as is not in conflict with this Act; to repeal an Act of the Legislature of the State of California, approved March 4, 1881, entitled "An Act to appropriate money to reimburse the University of California for moneys heretofore appropriated to the Endowment Fund thereof, which moneys have, by mistake, been withheld therefrom and appropriated to other State purposes," and making an appropriation to pay the interest on said outstanding bonds, from Jan. 1 to July 1, 1893. Voorheis. | 445 | | |
| 661 | An Act to amend Section 3696 of the Political Code, relating to the duties of the State Board of Equalization. Martin..... | 445 | 875 | |
| 662 | An Act to promote the practical study of the sciences in the high schools of California. Earl..... | 445 | 989 | |
| 663 | An Act to encourage the establishment of county, and city and county reform schools, for the correction, care, and maintenance | | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assembly |
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| | nance of juvenile offenders, and to provide State aid, and appropriate money therefor. Mitchell | 445 | 1046 | |
| 664 | An Act entitled an Act to amend Section 704 of an Act to establish a Code of Civil Procedure, relating to the payments in cases of redemption. Mathews | 445 | | |
| 665 | An Act to establish a committee on legislation, advisory to the Legislature. Mathews | 446 | | |
| 666 | An Act to amend Sections 1240, 1241, and 1243 of the Civil Code of the State of California, relating to homestead exemptions. Mathews | 446 | | |
| 667 | An Act to amend Section 348, of the Code of Civil Procedure, relating to limitations of actions. Mathews | 446 | | |
| 668 | An Act amending Sections 269, 270, 271, 272, 273, and 274 of the Code of Civil Procedure, and Section 869 of the Penal Code, relating to official phonographic reporters, and their duties, compensation, and fees. Mathews | 446 | | |
| 669 | An Act to amend Section 537 of the Penal Code, and to add a new section thereto, to be known and designated as Section 538, relating to the removal, sale, or subsequent incumbrance of mortgaged chattels. Mathews | 446 | 700 | 891 |
| 670 | An Act making an appropriation for the relief of N. Southmayd, and others, in caring for and preserving the perishable property of the State of California. Mathews | 446 | 1070 | |
| 671 | An Act to amend Section 1083 of the Political Code of the State of California, defining the qualifications and disabilities of electors. Whitehurst | 446 | 768 | 894 |
| 672 | An Act to repeal an Act entitled "An Act for the promotion of the viticultural industries of the State," approved April 15, 1880; also, to repeal an Act approved March 4, 1881, entitled "An Act to define and enlarge the duties and powers of the Board of State Viticultural Commissioners, and to authorize the appointment of certain officers, and to protect the interests of horticulture and viticulture;" also, to repeal an Act approved February 26, 1885, entitled "An Act to enlarge the duties of the Board of State Viticultural Commissioners," and providing for the disposition of the property of the State now in possession of or under the control of the Board of State Viticultural Commissioners. Gesford | 446 | | |
| 673 | An Act to amend Sections 8, 9, 12, 17, 48, and 55 of an Act of the Legislature of the State of California, entitled "An Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors," approved April 16, 1880. Gesford | 446 | 851 | |
| 674 | An Act to amend an Act entitled "An Act to establish a Civil Code of the State of California," passed March 21, 1872, by adding a new section thereto, to be numbered as Section 404, concerning foreign corporations. Seymour | 447 | | |
| 675 | An Act to amend Section 416 of an Act entitled "An Act to establish a Political Code," approved March 7, 1881, relating to fees for services performed in the office of the Secretary of State. Seymour | 447 | | |
| 676 | An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and | | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
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| | for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by amending Sections 13 and 17 thereof. Seymour | 447 | | |
| 677 | An Act supplemental to an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, by the creation of a State Board of Irrigation, and by defining the powers and prescribing the duties thereof, and by providing for the printing of bonds issued by said Act. Seymour..... | 447 | | |
| 678 | An Act to authorize and empower the Board of Supervisors of any city, or city and county, having more than 100,000 inhabitants, to close up and cause to be closed any city cemetery or cemeteries, and to purchase another cemetery or cemeteries. Maher | 447 | | |
| 679 | An Act to amend Section 616 of the Political Code, relating to insurance companies. Broderick | 447 | | |
| 680 | An Act to amend Sections 1537, 1538, 1542, 1543, and 1545 of an Act of the Legislature of the State of California, entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the estates of deceased persons. McGowan. | 447 | 1090 | 1147 |
| 681 | An Act entitled an Act to amend Section 541 of the Civil Code, relating to telegraphic corporations. Williams..... | 447 | | |
| 682 | An Act in relation to and prescribing conditions upon which certain foreign insurance companies may transact insurance business in the State of California. Biggy..... | 447 | | |
| 683 | An Act to pay the claim of C. Schindler. Hart..... | 448 | | |
| 684 | An Act entitled an Act to amend Section 920 of the Penal Code of the State of California. Hart | 448 | | |
| 685 | An Act entitled an Act to amend Section 1270 of the Penal Code of the State of California. Hart | 448 | | |
| 686 | An Act to amend Section 3005 of the Political Code, in relation to Boards of Health. Broderick..... | 448 | | |
| 687 | An Act to amend Section 1668 of the Political Code. Seawell..... | 448 | | |
| 688 | An Act to amend the Code of Civil Procedure of California by adding a new section thereto, to be known as Section 2080, relative to evidence in particular cases in which the title to real property is involved. Orr..... | 448 | | |
| 689 | An Act to provide for the appointment of a Board of Colton Hall Trustees, and for the acquisition of the Colton Hall property, and providing for an appropriation for the preservation, protection, and improvement of said property. Flint..... | 448 | 767-8 | 1141 |
| 690 | An Act to repeal an Act entitled "An Act regulating fees and mileage in criminal cases in the county of Nevada," approved March 23, 1876. Ford | 468 | | |
| 691 | An Act to amend "An Act to establish a uniform system of county and township governments," approved March 31, 1891. Voorheis | 468 | | |
| 692 | An Act to limit the speed of street railroads in cities and towns of more than 100,000 inhabitants. Voorheis | 469 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------------|--|------------------|---------------------|-----------------------|
| 693 | An Act authorizing the appointment of trustees for the estates of missing persons, and defining the duties of such trustees. Carpenter | 478 | 1058 | |
| 694 | An Act to amend Section 3493 of the Civil Code, relating to private remedies for public nuisances. Biggy | 478 | | |
| 695 | An Act appropriating money to pay the claim of B. McMahon & Son. Arms | 478 | | |
| 696 | An Act relative to the insurance of property belonging to the State. McAllister | 478 | | |
| 697 | An Act creating a Board of Commissioners of the Building and Loan Associations, and prescribing their duties and powers. Simpson | 478 | 1138 | 1130 |
| 698 | An Act to amend Section 1214 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, relating to the recording of conveyances. Mathews | 478 | | |
| 699 | An Act to regulate the sale of commercial fertilizers, or material used for manurial purposes. Mathews | 478 | | |
| 700 | An Act to provide a method of determining the title to real property in this State by actions in rem. Earl | 478 | | |
| 701 | An Act to create a State Advisory Highway Committee. Orr | 478 | 1010 | |
| 702 | An Act to amend Sections 1552, 1696, and 1776, and to repeal Section 1565 of the Political Code, relating to public schools. Burke (by request) | 492 | | |
| 703 | An Act to prevent persons, corporations, or companies discriminating against employes. Williams | 492 | | |
| 704 | An Act to compel corporations to have as their chief representatives citizens of the United States. Williams | 492 | | |
| 705 | An Act making appropriation to pay the deficiency in the appropriation for the State's portion of the salaries of Judges of the Superior Court for the forty-fourth fiscal year. Denison | 492 | 741 | 967 |
| 706 | An Act to amend Section 59 of the Civil Code of the State of California, relating to marriages. Maher | 516 | | |
| 707 | An Act to amend an Act entitled "An Act to enable the Boards of Supervisors, Town Councils, Boards of Aldermen, or other legislative body of any city and county, city, or town, to obtain data and information from any corporation, company, or person supplying water to such city and county, city, or town, requiring such Boards, Town Councils, or other legislative body to perform the duties prescribed by Section 1, Article XIV, of the Constitution, and prescribing penalties for the non-performance of such duties," approved March 7, 1881, by adding thereto a new section, to be known as Section 8½. Maher | 516 | | |
| 708 | An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, amended March 11, 1887, for the purpose of regulating the hours of labor of employes, laborers, and mechanics employed under any franchise or franchises granted by the State of California, or any political subdivision thereof, by amending Sections 3246, 3247, 3248, 3249, and 3250 of said Code. Maher | 516 | | |
| 709 | An Act to amend Section 8 of an Act entitled "An Act to prevent persons passing through inclosures and leaving them | | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
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| | open, by tearing down fences, or otherwise, and to prevent hunting upon inclosed lands in the State of California," approved March 23, 1875. Campbell..... | 516 | | |
| 710 | An Act relating to persons or companies or corporations furnishing water to any city and county, or city, or town, or the inhabitants thereof, and prescribing their duties. Mahoney .. | 516 | | |
| 711 | An Act to define and extend the jurisdiction of the Board of State Harbor Commissioners in and over Channel Street, and all basins and canals in the City and County of San Francisco. Mahoney (by request)..... | 516 | | |
| 712 | An Act making an appropriation to pay the claim of Louise Rienzi, for services rendered the State Board of Silk Culture, and as custodian of the property of said Board, from July 1, 1889, to October 31, 1889, at \$87 50 per month. Mitchell..... | 516 | 1107 | 1154 |
| 713 | An Act relating to the erection, construction, and repairs of public buildings in this State, and in any of the counties, cities and counties, cities, towns, and townships thereof. Mitchell.. | 517 | | |
| 714 | An Act to provide for the filling up or draining of lots upon which there is stagnant water or offensive substances, and providing for collection of costs of the same. Mathews..... | 517 | 877 | |
| 715 | An Act to limit the hours of labor and regulate the employment of laborers and mechanics upon public works in the State of California, and prescribing penalties for violations of the Act. Mathews..... | 517 | | |
| 716 | An Act fixing the salary of City Clerks in cities having a population of over 27,000 and under 50,000 inhabitants. Earl..... | 517 | | |
| 717 | An Act for the relief of P. Begley. Earl..... | 517 | | |
| 718 | An Act amending an Act entitled "An Act giving the consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891. Earl | 517 | | |
| 719 | An Act to amend Sections 7 and 9 of an Act entitled "An Act authorizing certain corporations to act as executors and in other capacities, and to provide for and regulate the administration of trusts by such corporations," approved April 6, 1891, relating to securities to be deposited with the Treasurer of State. McAllister | 517 | 882 | 1148 |
| 720 | An Act to appropriate moneys to pay the costs and expenses of suits wherein the State is a party. Hoyt | 517 | | |
| 721 | An Act to appropriate moneys to pay the claim of Mrs. Louise Rienzi. Hoyt | 517 | | |
| 722 | An Act making an appropriation to pay the deficiency in the appropriation for arresting criminals without the State for the forty-third fiscal year. Voorheis | 517 | 742 | 967 |
| 723 | An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest for the thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth fiscal years. Voorheis..... | 517 | 1072 | |
| 724 | An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized. Seawell..... | 517 | | |

| Number | TITLE. | Introduced | Passed Senate. | Passed Assem-
bly |
|--------|--|------------|----------------|----------------------|
| 725 | An Act to amend an Act to establish a uniform system of county and township governments, approved March 31, 1891. Martin | 518 | | |
| 726 | An Act to appropriate money to pay the expense of transporting, insuring, and installing of California's exhibits in the Woman's Building of the World's Columbian Exposition. McGowan | 518 | | |
| 727 | An Act to license all persons dealing in cigarettes. Flint | 518 | | |
| 728 | An Act to create the office of State Forester, to provide for the protection of forests from fire, and to provide for the expenses thereof. Flint | 518 | | |
| 729 | An Act amendatory of and supplementary to an Act entitled "An Act to define the boundary and provide for the government of Levee District No. 2 of Sutter County," passed March 23, 1876, in relation to the election of officers for said district, funding the floating debt, and refunding the funded debt thereof. Ostrom | 518 | 877 | 1104 |
| 730 | An Act granting unto Lake County, State of California, that certain body of water situated within the territorial limits of said county, known as Clear Lake, together with that portion of the outlet of said lake situated within the territorial limits of said county, known as Cache Creek. Gesford | 518 | 833 | 1156 |
| 731 | An Act to authorize the appointment of a commission by the Governor for the purpose of selecting and suggesting a permanent site and location for an additional State Prison. Orr | 545 | | |
| 732 | An Act making an appropriation to pay the deficiency in the appropriation for salary of Secretary of State Board of Examiners for the forty-second fiscal year. Voorheis | 553 | 741 | 966 |
| 733 | An Act to provide for additional improvements at the Reform School for Juvenile Offenders, located at Whittier, in the county of Los Angeles, and State of California, and to make an appropriation for the same. Carpenter | 553 | | |
| 734 | An Act to repeal the Act of March 7, 1883, entitled "An Act to provide for the submission of proposed amendments to the Constitution of the State of California to the qualified electors for their approval." McGowan | 553 | | |
| 735 | An Act to pay the claim of Thomas Curtin, or his heirs, against the State of California, and making an appropriation therefor. Mahoney (by request) | 553 | | |
| 736 | An Act to prevent compulsory prostitution of women, and the importation of Chinese or Japanese women for immoral purposes, and to provide penalties therefor. Seawell | 554 | 1045 | 1132 |
| 737 | An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by amending Section 4, in regard to the posting of notices of all street work before advertising for proposals, or award of contracts. Orr | 554 | | |
| 738 | An Act to amend an Act entitled "An Act giving consent of the State of California to the reservation of certain lands by Congress," approved March 14, 1891. Earl | 555 | | |
| 739 | An Act to amend Section 672 of the Political Code, relating to the Board of Examiners. Carpenter | 555 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
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| 740 | An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, and to amend Section 906 thereof, relating to grand juries. Carpenter | 555 | | |
| 741 | An Act making an appropriation to pay for the transportation of children to the Reform School for Juvenile Offenders for the forty-third and forty-fourth fiscal years. Voorheis..... | 559 | 740 | 1 |
| 742 | An Act making an appropriation to pay the deficiency in the appropriation for the transportation of prisoners for the forty-fourth fiscal year. Voorheis..... | 559 | 741 | 2 1022 |
| 743 | An Act making an appropriation for the transportation of insane for the forty-fourth fiscal year. Voorheis..... | 559 | 742 | 1022 |
| 744 | An Act for the relief of Agnes Lynch, and to appropriate money therefor. Goucher..... | 573 | | |
| 745 | An Act to add a new section to Chapter XII, of Title XI, of Part III, of the Code of Civil Procedure of California, to be designated and known as Section 1724, and relating to the giving of notice of proceedings in the matter of estates and guardianships. McAllister | 594 | | |
| 746 | An Act requiring all State institutions to give preference to California products, and the productions of California labor. McAllister | 594 | | |
| 747 | An Act concerning the duties of Assessors and Treasurers. Carpenter | 594 | | |
| 748 | An Act to amend Section 764 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the powers of the Board of Trustees of cities of the fifth class. Simpson | 594 | 964 | |
| 749 | An Act entitled an Act to amend Sections 3746, 3756, 3758, and 3764 of the Political Code, relating to the collection of property taxes. Dunn | 595 | | |
| 750 | An Act authorizing Boards of Trustees or other legislative authorities of municipal corporations owning public water-works to fix rates for water furnished, and to enforce payment of the same. Hoyt..... | 595 | | |
| 751 | An Act to amend Section 4104 of the Political Code of the State of California, relating to officers of a township. Hoyt | 595 | | |
| 752 | An Act to provide for the appointment of three additional deputies by County Recorders of cities and counties of more than 100,000 population. Williams | 595 | | |
| 753 | An Act entitled an Act to enable persons who have expended money for the transportation of convict or insane persons to recover the same. Williams..... | 595 | | |
| 754 | An Act to provide for the transfer of certain moneys from one county to another, when a new county has been formed and organized. Seawell..... | 595 | | |
| 755 | An Act to increase the revenue by the taxation of incomes. Ostrom | 595 | | |
| 756 | An Act relating to surveys of cities, towns, villages, and additions thereto, and providing for recording of maps and plats of such surveys. Ostrom | 595 | | |

| Number | TITLE. | Introduced .. | Passed Senate. | Passed Assembly |
|--------------|---|---------------|----------------|-----------------------|
| 757 | An Act providing for the removal of human remains from cemeteries in cities having a population of more than 5,000 and not exceeding 100,000. Langford | 595 | 1008 | 1132 |
| 758 | An Act to enable the State of California to purchase the right to make, use, and vend a patented improvement in a composition for protecting piles. Maher | 595 | | |
| 759 | An Act to amend Section 4 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883. Flint | 595 | 964
1076 | 1124 |
| 760 | An Act to provide for the erection and construction of offices, rooms, and apartments in the general ferry and passenger depot now under course of construction at or near the foot of Market Street, in the City and County of San Francisco, for the accommodation of certain persons, officers, and commissions of the State of California now having their offices and quarters in said City and County of San Francisco, and making an appropriation to carry out the provisions of this Act. Voorheis | 596 | | |
| 761 | An Act to provide for the purchase of statuary, to be placed in the niches of the rotunda of the State Capitol, on the first floor, and to appropriate money therefor. Broderick | 596 | | |
| 762 | An Act to amend Section 3713 of the Political Code, relating to the levy of taxes. Broderick | 596 | | |
| 763 | An Act to provide for the preparation, printing, and distribution of a volume expository of the resources of California at the World's Columbian Exposition at Chicago, and appropriating money therefor. Broderick (by request) | 596 | | |
| 764 | A proposed fee bill for counties of the thirty-eighth class. Broderick | 596 | | |
| 765 | An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable." McGowan | 596 | | |
| 766 | An Act to appropriate the sum of \$5,000 for the support and maintenance of "Christ's Rescue Home." Earl (by request) .. | 596 | | |
| 767 | An Act to amend Section 2051 of "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the impeachment of a witness. Earl | 596 | | |
| 768 | An Act to provide for the furnishing of a residence for the Governor of California, and to appropriate money therefor. Hart .. | 596 | | |
| 769 | An Act to amend Sections 409 and 410 of the Political Code. Carpenter | 596 | | |
| 770 | An Act to provide for the redemption of lands sold for any State, county, municipal, irrigation district, or other district tax or assessment. Carpenter | 596 | | |
| 771 | An Act to amend Section 3766 of the Political Code, relating to the publication of lists of delinquent State and county taxes. Carpenter | 596 | | |
| 772 | An Act for the relief of Robert B. Young for extra work done upon the administration and factory buildings of the Reform School for Juvenile Offenders, at Whittier, and to make an appropriation for the same. Carpenter | 597 | 994 | 1103 |
| 773 | An Act to amend Subdivision 14, of Section 25 of an Act entitled "An Act to amend Sections 13, 16, 25, 57, 70, 71, 147, 162, 164, 165, | | | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
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| | 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178, 179, 180, 181, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 195, 196, 201, 202, 203, 206, 209, 211, and 225 of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March 14, 1883, as amended March 14, 1885, March 18, 1885, and March 17, 1887, and to insert two new sections, to be numbered 188½ and 201½, and to create two new classes of counties of the twenty-sixth and one half and of the thirty-ninth and one half class, relating to the government of counties, and to repeal Section 110½ of said Act," approved March 16, 1889. Carpenter | 597 | | |
| 774 | An Act to repeal an Act entitled "An Act to provide for the erection at San Quentin State Prison of a building for the accommodation of the insane prisoners, and making appropriation therefor," approved March 19, 1889. Voorheis | 618 | 710-11 | 897 |
| 775 | An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for forty-fourth fiscal year. Voorheis | 660 | 858 | 904 |
| 776 | An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year. Voorheis | 661 | 858 | 904 |
| 777 | An Act making an appropriation for the payment of R. J. Broughton, for conveyance of Anna Campbell, an insane person, to the Napa Insane Asylum. Orr | 695 | 1136 | |
| 778 | An Act making an appropriation for the contingent expenses of the Senate for thirtieth session of the Legislature. Voorheis .. | 714 | 744 | 855 |
| 779 | An Act to amend Section 1614, Title II, of the Penal Code of the State of California, in relation to the government of prisoners sentenced to terms of imprisonment in county jails. Mahoney | 754 | | |
| 780 | An Act to appropriate the surplus moneys in the "Special Mendocino Asylum Fund" in the State Treasury, to the uses of the Mendocino State Insane Asylum. Seawell | 793 | 1088 | |
| 781 | An Act to appropriate moneys to aid in erecting a monument over the grave of ex-Governor Irwin, and to prescribe the duties of the Controller and Directors of State burial grounds in relation thereto. Flint | 832 | 989 | 1028 |
| 782 | An Act to amend an Act entitled "An Act to amend Section 374 of the Penal Code, relating to crimes against the public health," as approved March 3, 1893. Whitehurst | 914 | 965 | |
| 783 | An Act making an appropriation to pay the deficiency in the appropriation for per diem and mileage of the Lieutenant-Governor and Senators for forty-fourth fiscal year. Voorheis | 969 | 985 | 1015 |
| 784 | An Act making an appropriation to pay the deficiency in the appropriation for pay of officers and clerks of the Senate for the forty-fourth fiscal year. Voorheis | 969 | 985 | 1015 |
| 785 | An Act to enable counties to settle any unpaid taxes. Martin | 1077 | | |
| 786 | An Act making an appropriation to pay the salary, of the third Judge of the Superior Court of Fresno County for the remainder of the forty-fourth fiscal year. Voorheis | 1086 | 1139 | |
| SUBSTITUTE BILL. | | | | |
| 71 | An Act to prevent deception in the manufacture and sale of imitation butter, and to appropriate money for its enforcement. McGowan | 199 | 488 | |

SENATE RESOLUTIONS.

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly by |
|--------------------------------|---|------------------|---------------------|--------------------------|
| CONCURRENT RESOLUTIONS. | | | | |
| 1 | Relative to the distribution of duplicate copies of the California Statutes and Supreme Court Reports, now in the State Library, to the different County Law Libraries. Voorheis | 24 | 24 | 833 |
| 2 | Relative to approval of the charter of the city of Sacramento, State of California. Hart | 46 | 158 | 260 |
| 3 | Relative to the appointing of a committee of six, three from each house, to investigate the Home for the Care and Training of Feeble-Minded Children, located at Glen Ellen, Sonoma County. Maher | 86 | 86 | 149 |
| 4 | Relative to Joint Committee on investigation of Whittier Reform School. Biggy | 221 | | |
| 5 | Relative to Golden Gate Park Commissioners. Maher | 355 | 355 | 580 |
| 6 | Relative to adjournment of the Legislature. Burke | 466 | | |
| 7 | Relative to approving the charter of the town of Grass Valley, in Nevada County, California, which was voted for and ratified by the qualified electors of said town at a special election held therein for that purpose on February 28, 1893. Ford | 743 | 811 | |
| 8 | Relative to Legislature adjourning sine die March 2, 1893. Martin | 811 | | |
| 9 | That the State Printer be directed to print and bind in appropriate style five hundred copies of the proceedings of the Senate and Assembly, and of the joint memorial session of the Legislature, in respect to the memory of James G. Blaine, and that one copy thereof be transmitted to Mrs. Blaine, one copy to each of the representatives of this State in the Congress of the United States, and three copies to be reserved for each member of this Legislature. Maher | 844 | | |
| 10 | Relative to Legislature adjourning March 14, 1893. Voorheis | 847 | 910 | 1013 |
| 11 | Approving the charter of the town of Grass Valley, Nevada County, California, which was voted for and ratified by the qualified electors of said town, at a special election held therein for that purpose, on February 28, 1893. Ford | 887 | 894 | 1020 |
| 12 | Approving the charter of the City of Napa, in Napa County, California. Gesford | 1050 | 1057 | 1061 |
| JOINT RESOLUTIONS. | | | | |
| Sub 1-2 | Relative to the construction of the Nicaragua Canal. Committee on Federal Relations and Immigration | 82 | 211
83 | 162 |
| 3 | Relative to defining "options" and "futures." Ostrom | 19 | 46 | 55 |
| 4 | Relative to restricting undesirable immigration. Ostrom | 45 | 175 | |

| Number | TITLE | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 5 | Relative to indebtedness of the United States Government to the State of California. Voorheis..... | 46 | 161 | 1033 |
| 6 | Relative to Nicaragua Canal. Mathews..... | 47 | | |
| 7 | Relative to providing for an amendment to the Constitution of the United States, prohibiting bankers and holders of bank stock holding seats in Congress. Wilson..... | 57 | | |
| 8 | Requesting Congress to enact a law limiting or prohibiting foreign immigration. McGowan..... | 57 | 175 | |
| 9 | Relative to the establishment of a postal telegraph in connection with the postal service of the United States. McGowan.. | 57 | 176 | |
| 10 | Relative to the abolishment of the duty on grain bags, burlaps, gunnies, or gunny cloth. Langford..... | 59 | 95 | |
| 11 | Relative to the increase and equalization of the pay of letter carriers. Arms..... | 63 | 95 | 192 |
| 12 | Relative to irrigation of arid and desert lands. Ostrom..... | 70 | 98 | |
| 13 | Relative to foreign immigration to the United States. Ostrom.. | 81 | | |
| 14 | Requesting the laying of a telegraph-cable line from Northwest Seal Rock Lighthouse, in Del Norte County, to Trinidad, Humboldt County. McGowan..... | 190 | | |
| 15 | Relating to the construction by the United States Government of a deep-water harbor at San Pedro, on the coast of Los Angeles County. Mathews..... | 210 | 303 | 304 |
| 16 | Relative to the annexation of the Hawaiian Islands. Ford..... | 259 | 268 | 348 |
| 17 | Examination of navigable waters of the State of California. Hart.. | 262 | 262 | |
| 18 | Relative to break in Feather River. Ostrom..... | 269 | 269 | 292 |
| 19 | Relative to certain railroads in the United States being indebted to the United States. Ostrom..... | 304 | | |
| 20 | Relative to the classification of clerks in first and second class Post Offices. Arms..... | 307 | 307 | 339 |
| 21 | Relative to making Yosemite Valley a National Park. Goucher.. | 308 | | |
| 22 | Relative to amending the patent laws of the United States. Ford (by request)..... | 329 | | |
| 23 | Relating to ownership and operation of railroads by the people. Ostrom..... | 362 | | |
| 24 | Relative to the free coinage of silver. Voorheis..... | 378 | 857 | |
| 25 | Relative to memorializing the Attorney-General and Secretary of the Interior to locate a United States Prison in California. Hart..... | 671 | 671-2 | 1028 |
| 26 | Relative to annexation of Goat Island. Ostrom..... | | 978 | 1155 |
| 27 | Relative to appointment of Congressman Caminetti to Committee on Rivers and Harbors in United States Congress. Hart.. | 1124 | 1124 | 1118 |

SENATE CONSTITUTIONAL AMENDMENTS.

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------|---|------------|---------------|-----------------|
| 1 | A resolution proposing to the people of the State of California an amendment to Section 7 of Article I of the Constitution of the State of California, relating to trial by jury. Gesford..... | 45 | | |
| 2 | Relative to amending Constitution of the State of California by repealing Sections 4 and 5 of Article XIII, and by amending Section 1 of said article. Mathews..... | 45 | | |
| 3 | A resolution to propose to the people of the State of California an amendment to Section 3 of Article XI of the Constitution of the State of California. Mathews..... | 45 | | |
| 4 | A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article II thereof, relative to the right of suffrage. Ragsdale..... | 45 | | |
| 5 | A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 7 of Article I thereof, relating to trial by jury. Voorheis (by request)..... | 45 | | |
| 6 | To propose to the people of the State an amendment to the Constitution of the State, in relation to poll tax. Hart..... | 57 | | |
| 7 | A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Section 9 of Article XIII thereof, relative to the election of a State Board of Equalization. Mathews..... | 57 | 906 | 1060 |
| 8 | A resolution proposing to the people of the State of California an amendment to the Constitution, repealing Sections 22 and 23 of Article XII of said Constitution, relating to the Railroad Commission, and adding to Article IV of said Constitution a new section, to be known and numbered as Section 36, relating to railroad freights and fares. Gesford..... | 63 | | |
| 9 | A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article XIII thereof, relating to taxable property. Seymour..... | 87 | | |
| 10 | A resolution to propose to the people of the State of California an amendment to the Constitution of the State, amending Section 1 of Article XIII, relative to revenue and taxation. Maher..... | 87 | | |
| 11 | An Act to submit to the people of the State of California an amendment to Section 3, Article XII, of the Constitution of the State of California. Carpenter..... | 98 | | |
| 12 | Proposed amendment to Article XII of the Constitution, relating to the election of Railroad Commissioners. Langford..... | 163 | | |
| 13 | Proposed amendment to Article VI of the Constitution, relative to judicial department. Gesford..... | 168 | | |

| Number | TITLE. | Introduced | Passed Senate | Passed Assembly |
|--------------|--|------------|---------------|-----------------|
| 11 | Proposing to the people of the State of California an amendment to the Constitution, relating to the formation of new counties. Berry | 278 | 389 | 599 |
| 15 | A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relative to the exemption of fruit trees and vines from taxation. Langford.. | 287 | 779 | |
| 16 | An Act providing to have submitted to the people an amendment to Article XIII of the Constitution, Section 1, in relation to revenue and taxation. Maher | 342 | 708 | 1110 |
| 17 | Proposing to the people of the State of California an amendment to Section 7, Article XI, of the Constitution of the State of California. Arms | 404 | 779-80 | 972 |
| 18 | To propose to the people of the State an amendment to the Constitution of the State, relative to the judiciary department. Carpenter | 553 | 853 | |
| 19 | An Act to amend Section 1, Article XIII, of the Constitution. Berry | 597 | | |
| 20 | An Act to submit to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of the State of California. Hart | 597 | 909 | 1129 |
| 21 | An Act to submit to the people of the State of California an amendment to Section 2 of Article IV of the Constitution of the State of California. Hart | 597 | 909 | |
| 22 | Relative to Nicaragua Canal. Mathews..... | | | |
| 23 | Submitting to the people of the State of California an amendment to the Constitution, amending Section 1 of Article XX of the Constitution of the State of California, relative to changing the seat of government from the city of Sacramento to the city of San José. Seymour..... | 1093 | 1093 | 1084 |
| 24 | A resolution to propose to the people of the State of California, to add a new section to the Constitution, to be known and numbered Section 36 of Article IV of the Constitution. Wilson | 1115 | | |





